

L. D. Mills, of Coopersville, Mich., favoring House bill 178—to the Committee on Ways and Means.

By Mr. SUTHERLAND: Petition of citizens of Utah, for opening to entry the gilsonite lands of the Uncompahgre Indian Reservation—to the Committee on the Public Lands.

By Mr. SPERRY: Resolution of the New Haven Printing Pressmen's Union, No. 74, for the repeal of the desert-land law—to the Committee on the Public Lands.

By Mr. SULZER: Resolutions of the Board of Trade of Chicago, Ill., protesting against merging the Interstate Commerce Commission with the proposed department of commerce and labor—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Brotherhood of Locomotive Firemen of the State of New York, favoring the passage of Senate bill 3451 and House bill 15990—to the Committee on Labor.

By Mr. WADSWORTH: Resolutions of North Tonawanda (N. Y.) Board of Trade, protesting against House bill 12762, to authorize the Mather Power Bridge Company to erect experimental span in Niagara River at Buffalo, N. Y.—to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG: Resolutions of the board of directors of the Board of Trade of Chicago, Ill., in opposition to merging the Interstate Commerce Commission with the proposed department of commerce and labor—to the Committee on Interstate and Foreign Commerce.

Also, petition of Mill Men's Union, No. 359, and Carpenters and Joiners, Philadelphia, Pa., favoring the repeal of the desert-land and homestead-commutation acts—to the Committee on the Public Lands.

## SENATE.

SATURDAY, January 24, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. QUAY, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

### PROPOSED CHANGE IN HOUR OF MEETING.

Mr. QUAY. Mr. President, before the order of petitions and memorials is called, I wish to state that the Senator from Maine [Mr. HALE] will to-day report the diplomatic and consular appropriation bill and on Monday ask the Senate to proceed to its consideration. In view of that fact, and to expedite the public business generally, I move that when the Senate adjourns to-day it adjourn to meet at 11 o'clock on Monday next.

Mr. HALE. Mr. President, I hope that will not be done. The committees of the body are very busy now in bringing the business of the session to a close, and the work that is done in committees is a better preparation in the way of enforcing speed in legislation than anything else. I have never known that work at this stage of the session to be interrupted by 11 o'clock meetings. There certainly is nothing in the condition of the business which demands it. The Committee on Appropriations does not ask it. That committee does not expect to take up any undue time of the Senate. It never visits upon the Senate long speeches. It reports its bills, I may say, after great study and preparation, and the confidence the body has always displayed in the reports of that committee insures speedy passage. I do not expect that any controversy will arise upon the diplomatic and consular appropriation bill and I do not expect that it will take a long time.

The Committee on Appropriations has not, Mr. President, sought to interfere with the Senator's programme, and will certainly, if driven by the Senator in his desire to do unaccountable things and unusual things in the interest of the measure he is espousing—

Mr. QUAY. Mr. President, I rise to a point of order. The motion is not debatable.

The PRESIDENT pro tempore. The point of order is well taken. The motion is not debatable.

Mr. QUAY. Now I desire to say a word in explanation of the motion.

The PRESIDENT pro tempore. The motion is not debatable.

Mr. HALE. I shall not make the point of order against the Senator from Pennsylvania. I shall hereafter find an opportunity to say what I desire.

Mr. QUAY. I wish to say, in explanation of the motion, that my desire was simply to expedite public business. The Senator from Maine certainly misstates the condition of affairs in the Senate. It is not an ordinary one. It is an extraordinary one. The public business is blocked, and more time will be required for its transaction owing to the condition of affairs here. But if gentlemen who oppose the statehood bill object to allotting more time to the transaction of the public business, for the present I will withdraw the motion.

The PRESIDENT pro tempore. The motion is withdrawn. Petitions and memorials are in order.

### PETITIONS AND MEMORIALS.

Mr. FAIRBANKS presented memorials of the congregation of the South Eighth Street Church of the Society of Friends, of Richmond; of Ellwood O. Ellis and sundry other citizens of Richmond; and of the Woman's Christian Temperance Union of Richmond, all in the State of Indiana, remonstrating against the repeal of the present antievent law; which were referred to the Committee on Military Affairs.

He also presented a memorial of the Laporte Carriage Company, of Laporte, Ind., remonstrating against the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented a petition of Coopers' Local Union No. 12, American Federation of Labor, of Evansville, Ind., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented a petition of the Burdall Company, of Indianapolis, Ind., praying for the adoption of certain amendments to the so-called pure-food bill; which was ordered to lie on the table.

He also presented a petition of Tecumseh Lodge, No. 402, Brotherhood of Railroad Trainmen, of Lafayette, Ind., praying for the passage of the so-called anti-injunction and conspiracy bill; which was ordered to lie on the table.

Mr. GAMBLE presented a petition of Perry Miners' Union, No. 116, Western Federation of Miners, of Perry, S. Dak., and a petition of the Trades and Labor Assembly of Sioux Falls, S. Dak., praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented the petition of R. A. Parks and 47 other citizens of Platte, S. Dak., and the petition of H. M. Parks and 37 other citizens of Charles Mix County, S. Dak., praying for the enactment of legislation to amend the internal-revenue law so as to reduce the tax on distilled spirits; which were ordered to lie on the table.

Mr. CULLOM presented petitions of Lodge No. 536, Brotherhood of Locomotive Firemen, of Mount Carmel; of Carpenters and Joiners' Local Union No. 141, of Chicago; of Carpenters and Joiners' Local Union No. 16, of Springfield; of the Trades Council of Elgin, and of Carpenters and Joiners' Local Union of Chicago, all of the American Federation of Labor, in the State of Illinois, praying for the repeal of the desert-land law and the commutation clause of the homestead act; which were referred to the Committee on Public Lands.

He also presented petitions of Local Union No. 144, of Fulton; of Local Union No. 1051, of Ladd; of Local Union No. 777, of Braceville; of the Journeymen Tailors' Local Union of Bloomington, and of Local Union No. 720, of Hornsby, all of the American Federation of Labor, in the State of Illinois, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

Mr. BURTON. I present a concurrent resolution of the legislature of the State of Kansas, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission. I ask that the resolution may be read and referred to the Committee on Interstate Commerce.

There being no objection, the resolution was read, and referred to the Committee on Interstate Commerce, as follows:

*Be it resolved by the legislature of the State of Kansas, two-thirds of the members elected to each house joining and concurring therein:*

Whereas the exclusive power to regulate commerce among the several States is vested by the Constitution of the United States in Congress, and the power of the individual State is thereby limited to the regulation of commerce within its own bounds, and to such subjects only as are not a part of interstate commerce; and

Whereas flagrant discriminations by railroad companies still continue in the interstate carrying trade, which greatly injure the interests and rights of the people, most particularly in central and western Kansas, as was glaringly shown in testimony taken in the hearings before members of the Interstate Commerce Commission in the lumber and grain cases at Wichita, September 24-27, 1902, which discriminations the legislature of the State of Kansas has not sufficient power to prevent; and

Whereas recent decisions of the Supreme Court of the United States have rendered many of the most important provisions of the interstate-commerce law inoperative, in consequence of which the law, in its present form, fails to afford the relief to the shipping interests which was the purpose of its enactment; and

Whereas the President, in his messages to Congress; Senator CULLOM, the author of the act now in force; the legislatures of several States, and over one hundred commercial organizations interested in interstate commerce, including the Missouri, Kansas and Oklahoma Lumber Dealers' Association, unite in agreeing upon the urgent necessity for the immediate passage of a more efficient interstate-commerce act, to the end that the unjust discriminations which now exist in freight rates shall be controlled; and

Whereas the matter of satisfactory and effective law to accomplish this result has been carefully considered by the executive committee of the interstate-commerce law convention, the present Interstate Commerce Commission, and others fully capable to determine upon the form of such an act, and have agreed upon a bill which is known as the "revised Elkins bill," which bill is now pending in the United States Congress: Therefore, be it

*Resolved by the house of representatives (the senate concurring therein), That we urge upon Congress the immediate passage of said act, deeming further delay in doing so greatly detrimental to the interests of the people of the State; and that Congress will be inexcusably remiss in its duty unless it shall at once take action upon this matter.*

*Resolved further, That the Senators and Representatives from Kansas in*

Congress be instructed to do their utmost to accomplish the above results, and that a copy of these resolutions be sent to each of them and to each member of the Committee on Interstate Commerce of the Senate and House of Representatives.

Mr. BURTON presented a petition of the Woman's Christian Temperance Union of Moran, Kans., praying for the enactment of legislation to exclude illiterate immigrants and to prohibit the sale of intoxicating liquors in all Government buildings; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Moran, Kans., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the First Baptist Church of Coffeyville, Kans., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. KEAN presented a petition of the Synod of New Jersey, of the Presbyterian Church, of Trenton, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquors to uncivilized races in the western Pacific; which was ordered to lie on the table.

He also presented a petition of Silk City Lodge, No. 188, International Association of Machinists, of Paterson, N. J., praying for the repeal of the so-called desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a petition of Rutherford Council, No. 262, Junior Order of United American Mechanics, of Rutherford, N. J., and a petition of Admiral Farragut Council, No. 162, Junior Order of United American Mechanics, of Jersey City, N. J., praying for the enactment of legislation to restrict immigration; which were ordered to lie on the table.

He also presented petitions of Middlesex Lodge, No. 329, International Association of Machinists, of Boundbrook, N. J., and a petition of Typographical Union No. 323, American Federation of Labor, of Hoboken, N. J., praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented memorials of the Embroidering Works of Newark; of Janeway & Co., of New Brunswick; of the Mercer Rubber Company, of Trenton, and of J. Wiss & Sons Company, of Newark, all in the State of New Jersey, remonstrating against the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented the memorials of Elwood L. Davis, of Bound Brook; of C. F. Miller, of Camden; of Lorenzo D. Sibley, of Vineland; of C. F. Smith, of Vineland; of C. M. Gandy, of Haddonfield; of J. H. Ballinger, of Haddonfield; of Edward H. Jones, of Haddonfield; of James Chance, of Vineland; of A. C. Taylor, of Vineland; of W. S. Capern, of Haddonfield; of J. B. F. Sing, of Vineland; of Frank A. Mershaw, of Haddonfield; of Rev. E. G. Entekin, of Vineland; of the congregation of the Northfield Baptist Church, of Livingston; of the Young Woman's Christian Temperance Association of Bridgeton; of J. C. Corson, of Vineland; of F. S. Newcomb, of Vineland; of S. C. Seade, of Vineland; of D. H. Burge, of Vineland; of Chauncey Towne, of Vineland; of C. S. Wellen, of Vineland; of J. T. Burroughs, of Haddonfield; of the congregation of the Baptist Church of Livingston; of J. B. Hillman, of Haddonfield; of the congregation of the Methodist Episcopal Church of Haddonfield; of W. F. Lower, of Vineland, and of the congregation of the Methodist Episcopal Church of Blairstown, all in the State of New Jersey, remonstrating against the repeal of the present antievent law; which were referred to the Committee on Military Affairs.

Mr. GALLINGER presented a petition of the East Washington Citizens' Association of Washington, D. C., praying that an appropriation be made for the reclamation of the flats of the Anacostia River; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Entomological Society of Washington, D. C., praying for the enactment of legislation providing for the support of the widow and daughter of Major Walter Reed, surgeon, United States Army; which was referred to the Committee on Pensions.

Mr. MARTIN presented a petition of Richmond Lodge, No. 261, Order of B'rith Abraham, of Richmond, Va., and a petition of Richmond Lodge, No. 164, Order of B'rith Abraham, of Richmond, Va., praying for the enactment of legislation to modify the methods and practice pursued by the immigration officers at the port of New York; which were referred to the Committee on Immigration.

He also presented a petition of the East Washington Citizens' Association of the District of Columbia, praying that an appropriation be made for the reclamation of the flats of the Anacostia River; which was referred to the Committee on the District of Columbia.

Mr. MALLORY presented a petition of the congregation of the First Congregational Church of Daytona, Fla., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. FRYE presented a petition of Bangor Lodge, No. 143, Order of B'rith Abraham, of Bangor, Me., praying for the enactment of legislation to regulate the methods and practice pursued by the immigration officers at the port of New York; which was referred to the Committee on Immigration.

#### REPORTS OF COMMITTEES.

Mr. BURTON, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the bill (S. 6689) for the protection of wild animals, birds, and fish in the forest reserves of the United States, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom the subject was referred, submitted a report, accompanied by a bill (S. 7123) for the protection of the public forest reserves and national parks of the United States; which was read twice by its title.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 16604) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1904, to report it with amendments, and I submit a report thereon. I give notice that I shall ask the Senate to take up the bill at the close of the routine morning business on Monday.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 7077) granting an increase of pension to Cyrus B. Norris; and

A bill (H. R. 12902) granting a pension to Julia Lee.

Mr. DUBOIS, from the Committee on Mines and Mining, to whom was referred the amendment submitted by Mr. PERKINS on the 12th instant, proposing to appropriate \$100,000 for the investigation by the United States Geological Survey of mines and mining of the United States, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. TALIAFERRO (for Mr. PATTERSON), from the Committee on Pensions, to whom was referred the bill (H. R. 14887) granting a pension to John H. Roberts, reported it without amendment, and submitted a report thereon.

#### PUBLIC BUILDING AT INDIANAPOLIS, IND.

Mr. FAIRBANKS. I am directed by the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 6769) to increase the limit of cost for the purchase of site and erection of public building at Indianapolis, Ind., to report it favorably with an amendment.

As I am obliged to leave the city and will be absent a few days, and it is important that this bill should be acted upon, I ask unanimous consent for its present consideration. It is a brief matter.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to increase the limit of cost for the purchase of a site and the erection thereon of a court-house and post-office building at the city of Indianapolis, State of Indiana, to \$2,617,423.65, to be used by the Secretary of the Treasury, in his discretion, for the completion of the building and making such improvements as in his judgment may be deemed necessary, including interior finish of every nature, light fixtures, telephone system, approaches, and other improvements.

The amendment of the Committee on Public Buildings and Grounds was, in line 11, after the word "including," to insert "changes of north front."

The amendment was agreed to.

Mr. ALLISON. I should like to ask the Senator from Indiana what is the present limit of the cost of the building?

Mr. FAIRBANKS. It is about \$2,200,000.

Mr. ALLISON. Now?

Mr. FAIRBANKS. Now. This is an increase of \$400,000, and it is made upon the recommendation of the Treasury Department.

Mr. ALLISON. Is the increase for the purchase of additional land?

Mr. FAIRBANKS. No, sir; it is not for additional land.

Mr. ALLISON. It is for the building?

Mr. FAIRBANKS. For the building.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.



CHARLES L. PINKHAM.

Mr. GALLINGER. From the Committee on Pensions, I report back without amendment the bill (S. 7076) granting an increase of pension to Charles L. Pinkham, and submit a report thereon. As this is a case of great urgency, I ask for the present consideration of the bill.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Charles L. Pinkham, late of Company G, Seventh Regiment New Hampshire Volunteer Infantry, and to pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### RETIREMENT OF VETERANS OF CIVIL WAR.

Mr. FORAKER. Mr. President, on yesterday I reported from the Committee on Military Affairs, with amendments, the bill (S. 6098) to regulate the retirement of veterans of the civil war. I see by the RECORD and the Calendar that it is stated to have been reported without amendment, and the bill was printed as originally introduced, not showing the amendments. I ask that the RECORD may be corrected, and that there may be a new print of the bill showing the amendments reported by the committee.

The PRESIDENT pro tempore. The Chair hears no objection and that order will be made.

Mr. FORAKER. I ask that there may be 500 copies additional of the bill printed as reported with amendments. It is a bill providing for the retirement of officers of the Army and there seems to be a great demand for copies of it.

The PRESIDENT pro tempore. The Senator from Ohio asks unanimous consent for the printing of 500 additional copies of Senate bill 6098. Is there objection? The Chair hears none, and the order is made.

JAMES C. BACON.

Mr. DEBOE. At the last session of Congress I introduced a bill (S. 5853) for the relief of James C. Bacon, and it was referred to the Committee on Claims. At the request of the chairman of the committee, I ask that the Committee on Claims be discharged from the further consideration of the bill, and that it be referred to the Committee on Military Affairs.

The PRESIDENT pro tempore. That order will be made in the absence of objection.

#### BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. PENROSE introduced a bill (S. 7112) for the erection of a shaft to be placed in the national cemetery at Balls Bluff, Virginia; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MILLARD introduced a bill (S. 7113) granting an increase of pension to Lewis Webber; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 7114) for the relief of John T. Wertz and Walter H. Shupe; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

Mr. McCUMBER introduced a bill (S. 7115) to provide for the erection of an addition to the public building in the city of Fargo, N. Dak.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CLAPP introduced a bill (S. 7116) authorizing the Secretary of the Interior to authorize the building of a bridge across Thief River, in the State of Minnesota; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 7117) to extend the time within which rebates may be allowed under the act entitled "An act to repeal war-revenue taxation, and for other purposes," approved April 12, 1902; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 7118) granting an increase of pension to Marzovan J. Secord; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN (for Mr. DANIEL) introduced a bill (S. 7119) granting a pension to Squire Puckett; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also (for Mr. DANIEL, by request) introduced a bill (S. 7120) for the relief of Anthony Robertson; which was read twice by its title, and referred to the Committee on Claims.

Mr. BEVERIDGE introduced a bill (S. 7121) granting a pension to Henry Jordan; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 7122) granting an increase of pen-

sion to Richard V. Burns; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. DEPEW introduced a joint resolution (S. R. 159) granting to the New York and New Jersey Railroad Company the right to construct and operate an underground railway under land owned by the United States in the city of New York; which was read twice by its title, and referred to the Committee on Commerce.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. GALLINGER submitted an amendment proposing to appropriate \$25,000 for completing the widening of Sherman avenue from Florida avenue north in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

He also submitted an amendment authorizing the Commissioners of the District of Columbia to institute proceedings to condemn the land necessary for the extension of Euclid place in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$1,500 for a chief clerk for the street-sweeping office, District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for temporary Home for ex-Union Soldiers and Sailors, Grand Army of the Republic, and Spanish War Veterans, from \$4,000 to \$6,000, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. HANSBROUGH submitted an amendment proposing to appropriate \$2,000,000 for the construction, equipment, and maintenance of buildings for post exchanges at military posts and stations of the United States Army, intended to be proposed by him to the military appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. HOAR submitted an amendment proposing to increase the salary of the consul at Fuchau, China, from \$3,000 to \$3,500, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

#### ARMY CANTEN.

Mr. GALLINGER. Mr. President, Senate Document No. 51, Fifty-seventh Congress, second session, containing 16 pages, deals with the question of the Army canteen. There is a very great demand for this document, and it will not cost much to print 5,000 extra copies of it, it being in plates at the Printing Office. I ask unanimous consent that 5,000 extra copies be printed for the use of the Senate.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that there be printed for the use of the Senate 5,000 extra copies of the document he sends to the desk. Is there objection? The Chair hears none, and the order is made.

#### EFFICIENCY OF THE MILITIA.

On motion of Mr. PROCTOR, it was

Ordered, That 2,000 extra copies of public act No. 33, being an act to promote the efficiency of the militia, and for other purposes, be printed.

#### USE OF OILS IN NAVAL VESSELS.

Mr. JONES of Arkansas submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Naval Affairs be directed to inquire and report to the Senate whether vessels of war can not be constructed so as to use oils other than naphtha and gasoline, and with less danger of accident and less risks to life.

#### SIGNOR GULIELMO MARCONI.

Mr. HOAR submitted the following concurrent resolution; which was read and referred to the Committee on the Library, and ordered to be printed:

Resolved by the Senate (the House of Representatives concurring), That the thanks of Congress be given to Signor Gulielmo Marconi for his service to mankind in inventing and putting into successful operation between the continents of Europe and America the system of communication known as wireless telegraphy.

#### USE OF WATER FOR GENERATING POWER.

Mr. MORGAN. I desire to call up from the table the bill which was read twice yesterday, and to have it referred to the Committee on Commerce.

The PRESIDENT pro tempore. The Chair lays the bill before the Senate.

The SECRETARY. A bill (S. 7090) to regulate the use of the waters of navigable water courses for the purpose of generating power by riparian proprietors.

Mr. MORGAN. I wish to say that I introduced this bill for a general public purpose which, I think, is important in itself, and I will ask leave to insert in my remarks extracts from some opinions of the Supreme Court of the United States and of the State of Alabama, in 95 Alabama Reports, upon the question involved in it. I do this for the purpose of relieving the committee of work.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator, and the quotations will be inserted in his speech.

The matter referred to is as follows:

We can not concur in the argument of counsel to the effect that whether a grant of the United States to land lying on a navigable stream within the limits of a State extends to high or to low-water mark or to the middle thread of the stream is a Federal question, upon which the Supreme Court of the United States is the final arbiter. This is not the law. On the contrary, no proposition of law is more firmly settled than that this is a matter purely within the control of the several States and determinable in all instances according to the rule in respect thereto which has been established by statute or by adjudications of courts of last resort or otherwise by the States themselves. And whatever rule has been so established is said to be the common law of the State where the land is situated, and as such will be enforced in all jurisdiction. This doctrine proceeds on the theory that inasmuch as the State owns in its sovereign capacity the soil under the waters of navigable streams, it is within the State's competency to determine to what extent its prerogatives to lands so submerged shall be exercised, and to what extent such prerogative shall be abated, or not asserted and exercised, in the sense of admitting individual proprietorship in such lands, subject only to those rights of eminent domain over the waters and the lands covered thereby which are inseparable from sovereignty.

And upon this theory it is universally held that a grant by the United States of land lying in a State and abutting on a navigable stream will extend to high-water mark, or low-water mark, or to the middle of the stream, according to the rule which the particular State has adopted as to the construction and extent of such grade. The late Justice Bradley, in a recent case, after stating the doctrine of the State's proprietorship in the banks and shores of navigable streams and waters, proceeds:

"This right of the States to regulate and control the shores of tide waters and the land under them is the same as that which is exercised by the Crown in England. In this country the same rule has been extended to our great navigable lakes, which are treated as inland seas; and also, in some of the States, to navigable rivers, as the Mississippi, the Missouri, the Ohio, and in Pennsylvania to all the permanent rivers of the State; but it depends on the law of each State to what waters and to what extent this prerogative of the State over the lands under water shall be exercised. In the case of *Barney v. Keokuk* (94 U. S., 324) we held that it is for the several States themselves to determine this question, and that if they chose to resign to the riparian proprietor rights which properly belong to them in their sovereign capacity, it is not for others to raise objections. That was a case which arose in the State of Iowa, in regard to land on the banks of the Mississippi, in the city of Keokuk; and it appearing to be the settled law of that State that the title of riparian proprietors on the banks of the Mississippi extends only to ordinary high-water mark, and that the shore between high and low water mark, as well as the bed of the river, belongs to the State, this court accepted the local law as that which was to govern the case.

"The same view was taken in quite a recent case with regard to titles on the Sacramento River, under the law of California. (*Packer v. Bird*, 137 U. S., 661.) On the east side of the Mississippi, in the States of Illinois and Mississippi, a different doctrine prevails, and in those States it is held that the title of the riparian proprietor extends to the middle of the current, in conformity to the rule of the common law that the beds of all streams above the flow of the tide, whether actually navigable or not, belong to the proprietor of the adjoining lands. (*Middleton v. Fritchard*, 3 Scammon, 510; *Morgan v. Reading*, 3 Sm. & Mar., 505; *St. Louis v. Rutz*, 138 U. S., 235.) In the one case, that of Iowa, the Government grant was held to extend only to high-water mark, and in the other cases, of Illinois and Mississippi, it was held to extend to the center of the streams, being governed in both cases by the respective laws of the States affecting the grant of lands bordering on the river. In the one case the State, by its general law, does not allow the grant to inure to the individual further than to the water's edge, reserving to itself the ownership and control of the river bed; in the other cases the States allow the full common-law effect of the grant to inure to the grantee." (*Hardin v. Jordan*, 140 U. S., 371, 382-383; *Webb v. Demopolis*, 95 Alabama Reports, 127-129.)

The PRESIDENT pro tempore. The bill will be referred to the Committee on Commerce.

#### STATISTICS OF CRIME, SUICIDE, INSANITY, ETC.

Mr. QUARLES. I hold in my hand Document No. 11, Fifty-seventh Congress, second session, being statistics of crime, suicide, insanity, etc. The edition of this document is nearly exhausted and the demand for it in scientific research is very great. The author of the document has prepared some additional matter, calculated to improve it. I ask that the document with the additional matter may be reprinted as a Senate document.

The PRESIDENT pro tempore. The Senator from Wisconsin asks that a Senate document, being "Statistics of crime, suicide, insanity, and other forms of abnormality," with the additions which have been prepared, be printed as a Senate document. Is there objection? The Chair hears none, and it is so ordered.

#### TYPES OF BREACH MECHANISM.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. GALLINGER on the 22d instant, as follows:

Resolved, That the Secretary of War and the Secretary of the Navy, respectively, be directed to furnish the Senate with a list of the types of breach mechanism for ordnance made by or for the War and Navy Departments since January 1, 1891, or at present in course of construction, together with the number of each type made since the date mentioned, or at present in course of construction.

Mr. GALLINGER. Mr. President, I ask unanimous consent that the resolution may lie on the table, subject to my call.

The PRESIDENT pro tempore. The Senator from New Hampshire asks that this resolution may lie on the table, subject to his call. The Chair hears no objection, and that order is made.

#### STATEHOOD BILL.

The PRESIDENT pro tempore. The morning business is closed.

Mr. BERRY. I ask unanimous consent for the present consideration of House bill 15708.

Mr. QUAY. I object to the consideration of the bill for the present. I move that the Senate proceed to the consideration of the statehood bill.

The PRESIDENT pro tempore. The Senator from Pennsylvania moves that the Senate proceed to the consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

The motion was agreed to.

Mr. QUAY. Now I withdraw my objection to the request of the Senator from Arkansas.

#### HOT SPRINGS RESERVATION.

Mr. BERRY. I ask unanimous consent for the present consideration of the bill (H. R. 15708) to extend the time for the completion of the incline railway on West Mountain, Hot Springs Reservation.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BRIDGE ACROSS CLINCH RIVER, TENNESSEE.

Mr. BATE. Mr. President, with the consent of the Senator from Pennsylvania, I ask unanimous consent for the present consideration of the bill (H. R. 15711) to authorize the construction of a bridge across the Clinch River, in the State of Tennessee, by the Knoxville, Lafollette and Jellico Railroad Company. It is merely a formal bridge bill.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### AKRON, STERLING AND NORTHERN RAILROAD.

Mr. MILLARD. I desire to call up by unanimous consent the joint resolution (S. R. 146) to extend the time for the construction of the Akron, Sterling and Northern Railroad, in Alaska.

The Secretary read the joint resolution; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### EDWARD L. BAILEY.

Mr. BURNHAM. I desire to call from the Calendar and ask the present consideration of the bill (S. 1168) to restore Edward L. Bailey to the United States Army, and to place him on the retired list with the rank of captain of infantry.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That the President is hereby authorized to nominate and, by and with the advice and consent of the Senate, to appoint Edward L. Bailey, late captain of the Fourth Regiment United States Infantry, a captain of infantry in the United States Army, and to place him on the retired list of the United States Army.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the appointment of Edward L. Bailey as captain of infantry, United States Army, and to place him on the retired list."

#### SAMUEL WELCH.

Mr. QUARLES. I ask for the immediate consideration of the bill (H. R. 6467) granting an honorable discharge to Samuel Welch.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of War to correct the military record of and grant an honorable discharge to Samuel Welch, late



private, Company F, Third Wisconsin Volunteer Cavalry, and now a resident of Delton, Wis.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### WITNESSES BEFORE REGISTERS AND RECEIVERS.

Mr. HANSBROUGH. I ask unanimous consent for the present consideration of the bill (H. R. 7664) providing for the compulsory attendance of witnesses before registers and receivers of the Land Office.

The Secretary read the bill.

Mr. PETTUS. That bill makes a great many changes in settled judicial proceedings, and I think it ought to have more consideration than it can receive at the present time.

The PRESIDENT pro tempore. The Senator from Alabama objects.

Mr. HANSBROUGH subsequently said: I again ask unanimous consent for the consideration of the bill (H. R. 7664) providing for the compulsory attendance of witnesses before registers and receivers of the Land Office. The bill has been read at length, and the Senator from Alabama [Mr. PETTUS] states that he has examined it and withdraws his objection to it.

The PRESIDENT pro tempore. Objection being withdrawn to the consideration of the bill, it is before the Senate as in Committee of the Whole, and open to amendment.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### AUSTIN H. PATTERSON.

Mr. KEAN. I ask unanimous consent for the present consideration of the bill (S. 6192) granting an increase of pension to Austin H. Patterson. The beneficiary is 83 years old.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "sixty" and insert "forty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Austin H. Patterson, late captain Company A, Fourteenth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### COURTS IN SOUTH DAKOTA.

Mr. GAMBLE. I ask unanimous consent for the present consideration of the bill (H. R. 10300) conferring jurisdiction upon the circuit and district courts for the district of South Dakota in certain cases, and for other purposes.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC STREETS IN COLUMBUS, OHIO.

Mr. FORAKER. I ask unanimous consent for the present consideration of joint resolution (S. R. 156) dedicating to the city of Columbus, in the State of Ohio, for uses and purposes of the public streets, part of property conveyed to the United States by Robert Neil by deed dated February 17, 1863, recorded in deed book 76, page 572, etc., Franklin County records.

The Secretary read the joint resolution; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It provides for the dedication to the city of Columbus, Franklin County, Ohio, for the uses and purposes of public streets and highways forever, so much of the property conveyed to the United States by Robert Neil by deed dated February 17, 1863, and recorded in deed book No. 76, at page No. 572, of Franklin County's record of deeds, as is described as follows: Being part of the streets bounding the 77 acres 3 rods and 8 poles of land known as the Columbus Barracks, situate in the city of Columbus, Ohio, said dedication being more specifically described as follows: Being the United States' part of Buckingham street, 77 feet wide; Cleveland avenue, 66 feet wide; Stanton street, 70 feet wide, and Jefferson avenue, 66 feet wide; and the Secretary of War is directed to execute such paper writing as will carry out the purposes of this resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### TOWN SITES ON PUBLIC LANDS IN MINNESOTA.

Mr. CLAPP. I ask unanimous consent for the present consideration of the bill (S. 6278) to extend the provisions of chapter 8,

title 32, of the Revised Statutes of the United States, entitled "Reservation and sale of town sites on the public lands," to the ceded lands in the State of Minnesota.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ASSOCIATION OF MILITARY SURGEONS OF THE UNITED STATES.

Mr. PLATT of Connecticut. I ask unanimous consent for the present consideration of the bill (H. R. 15066) to incorporate the Association of Military Surgeons of the United States.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. PLATT of Connecticut. With reference to the bill which has just been passed, I will state that that bill, which is a House bill, was reported by the Committee on Military Affairs of the Senate. I had previously reported from the Judiciary Committee a Senate bill identical with the one which has just been passed, which I ask may now be indefinitely postponed or erased from the Calendar.

The PRESIDENT pro tempore. The bill (S. 2051) to incorporate the Association of Military Surgeons of the United States will be indefinitely postponed.

#### DEPOT FOR REVENUE-CUTTER SERVICE.

Mr. PERKINS. I ask unanimous consent for the present consideration of the bill (S. 6408) to provide for a site for a depot for the Revenue-Cutter Service.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Commerce, with amendments, in line 4, after the word "acquire," to insert "by donation;" in line 6, before the words "the sum of," to strike out "for this purpose," and in line 8, after the word "appropriated," to insert "for the construction of a wharf, the dredging of a slip, the erection of suitable buildings, and the improvement of the premises donated under the provisions of this bill;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury is hereby authorized to acquire, by donation, in the harbor of Oakland, Cal., a suitable site upon which to establish a depot for the Revenue-Cutter Service, and the sum of \$40,000, or so much thereof as may be necessary, is hereby appropriated for the construction of a wharf, the dredging of a slip, the erection of suitable buildings, and the improvement of the premises donated under the provisions of this bill.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide a depot for the Revenue-Cutter Service."

#### PHILIPPINE CONSTABULARY.

Mr. SCOTT. I ask unanimous consent for the present consideration of the bill (H. R. 15510) to promote the efficiency of the Philippine constabulary, to establish the rank and pay of its commanding officers, and for other purposes. It is a bill to which I think there will be no objection whatever.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that officers of the Army of the United States may be detailed for service as chief and assistant chiefs, the assistant chiefs not to exceed in number four, of the Philippine constabulary, and that during the continuance of such details the officer serving as chief shall have the rank, pay, and allowances of brigadier-general, and the officers serving as assistant chiefs shall have the rank, pay, and allowances of colonel; but the difference between the pay and allowances of brigadier-general and colonel, as herein provided, and the pay and allowances of the officers so detailed in the grades from which they are detailed shall be paid out of the Philippine treasury.

It further provides that any companies of Philippine scouts ordered to assist the Philippine constabulary in the maintenance of order in the Philippine Islands may be placed under the command of officers serving as chief or assistant chiefs of the Philippine constabulary, but when the Philippine scouts shall be ordered to assist the Philippine constabulary the scouts shall not at any time be placed under the command of inspectors or other officers of the constabulary below the grade of assistant chief of constabulary.

The bill was reported to the Senate without amendment.

Mr. HOAR. What is the bill, Mr. President, that is now under consideration?

The PRESIDENT pro tempore. A House bill to promote the efficiency of the constabulary force in the Philippines.

Mr. HOAR. I desire to have an opportunity to look at the bill before it is passed.

Mr. SCOTT. I will say to the Senator from Massachusetts that the bill was reported after a thorough examination by the Committee on Military Affairs.

Mr. HOAR. I want to look at the bill.

Mr. SCOTT. Mr. President, I will say—

Mr. HOAR. If my honorable friend will pardon me, I only want to know what the bill is; that is all.

Mr. SCOTT. I did not understand the Senator.

Mr. HOAR. I have now looked at the bill, and I have no objection to make to it.

The bill was ordered to a third reading, read the third time, and passed.

#### ARDENIA DILLON.

Mr. BEVERIDGE. I ask unanimous consent for the present consideration of the bill (S. 2626) granting an increase of pension to Ardenia Dillon.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause, and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ardenia Dillon, widow of William P. Dillon, late captain Company D, Sixth and One hundred and forty-sixth Regiments Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Ardenia Dillon."

#### MISSOURI RIVER BRIDGE IN ST. CHARLES COUNTY, MO.

Mr. COCKRELL. I ask unanimous consent for the present consideration of the bill (S. 6569) to authorize the construction of a bridge across the Missouri River at a point to be selected within 10 miles of the corporate limits of the city of St. Charles, in St. Charles County, Mo., and in St. Louis County, Mo., and to make the same a post route. The bill has been favorably reported from the Committee on Commerce, and is in the usual form.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The first amendment was, in section 1, page 2, line 1, after the word "Missouri," to insert "at a point not less than 1 mile distant from any existing bridge;" so as to read:

That the Iowa and Missouri Railway Company, a corporation organized under the laws of the State of Missouri and authorized by the laws of the State of Missouri to locate and construct its railway into and through the counties of St. Charles and St. Louis, in said State, is hereby authorized to construct and maintain a bridge across the Missouri River on such line as its railway may hereafter be located in the counties of St. Charles and St. Louis, in the State of Missouri, at a point not less than 1 mile distant from any existing bridge, etc.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 18, after the word "spans," to strike out:

It shall not be in any case of less elevation than 50 feet above high-water mark, as registered since the year 1870, as understood at the point of location, to the lowest point of the superstructure, with straight girders; nor shall the main channel span of said bridge be less than 400 feet in the clear at low-water mark, and all other spans over the waterway shall not be less than 300 feet in the clear.

And insert—

At least three of the spans over the waterway shall give a clear channel width of not less than 400 feet at low-water surface and clear headroom of not less than 55 feet above high-water surface.

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 6, after the word "be," to strike out "and the main span shall be over the main channel of the river;" so as to read:

And the piers of the said bridge shall be parallel with the current of the river, and the bridge itself at right angles thereto, as near as may be.

The amendment was agreed to.

The next amendment was, in section 2, page 4, line 3, after the word "said," to strike out "channel" and insert "draw;" and in line 4, after the word "War," to insert:

And shall, at their own expense, maintain a depth of water through said draw spans not less than that now existing, as shown by the records of the War Department, at the point where said bridge may be located.

So as to read:

Provided, That said company, its successors or assigns, shall maintain, at its own expense, from sunset until sunrise, such lights or other signals on

said bridge as the Light-House Board shall prescribe, and shall build and maintain such sheer booms or other structures as may be necessary to safely guide vessels, rafts, or other water craft through said draw spans, and as shall receive the approval of the Secretary of War, and shall, at their own expense, maintain a depth of water through said draw spans not less than that now existing, as shown by the records of the War Department, at the point where said bridge may be located.

The amendment was agreed to.

The next amendment was, in section 3, page 5, line 7, after the word "substantially," to insert "or materially;" so as to read:

And whenever said bridge shall, in the opinion of the Secretary of War, substantially or materially obstruct the free navigation of said river, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### GEORGE W. M'COMB.

Mr. FAIRBANKS. I ask unanimous consent for the present consideration of the bill (S. 2591) granting an increase of pension to George W. McComb.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill; which had been reported from the Committee on Pensions with amendments, in line 7, after the word "and," to strike out "of;" in line 8, before the word "Veteran," to insert "Regiment," and in line 9, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. McComb, late of Company I, Eighth Regiment Michigan Volunteer Cavalry, and Company K, Eighth Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### STREET RAILWAY TRACK ACROSS AQUEDUCT BRIDGE.

Mr. MARTIN. I ask unanimous consent for the present consideration of the bill (H. R. 10522) to provide for laying a single electric street-railway track across the Aqueduct Bridge, in the District of Columbia, and for other purposes.

The PRESIDENT pro tempore. The Senator from Virginia asks unanimous consent for the present consideration of the bill named by him, which will be read for information.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection of the present consideration of the bill?

Mr. ALLISON. This is an important bill, as it seems to me, Mr. President, and I inquire if it has been reported by any committee.

Mr. MARTIN. Yes; it has been reported by the Committee on the District of Columbia, and it has the strongest possible recommendation from the Commissioners of the District.

Mr. ALLISON. Mr. President, we have had several investigations and examinations in regard to this matter, and we have been told in the past that the piers upon which this structure rests are not of sufficient strength to justify the construction of a street railway across the bridge.

Mr. MARTIN. If the Senator will excuse me, this bill provides exactly for that condition. It requires the street railway companies proposing to make use of the bridge to furnish all money for having the piers strengthened and reconstructed to such an extent as may be found necessary in the judgment of the Commissioners of the District.

Mr. ALLISON. This bridge has hitherto, as I understand, been under the control of the War Department, so far as construction is concerned, and I think they still have control of it.

Of course I do not want to impede the general desire to have a street railway across this structure, but I should like to ask the Senator if the Secretary of War and the engineer in charge have recommended the passage of the bill?

Mr. MARTIN. I should not like to make a positive statement about that, but I think so. I am sure the measure has had the careful investigation at one time or another of both the War Department engineers and the District engineer. I think an engineer of the War Department has stated that the time would come at no very distant future when it would be necessary to completely rebuild this bridge, but he has reported that for a great many years this expenditure will be sufficient.

There is no letter filed with the report from the War Department engineer, but I am sure this measure has had the approbation of the War Department: certainly it has had a thorough investigation by the engineer who is a member of the District Board of Commissioners. It is a House bill of very great importance to



the people desiring railway facilities for entering the District, and they are anxious that this legislation should be had.

I hope very much that the Senator from Iowa will not impede the passage of the bill.

Mr. ALLISON. I will only impede it for a moment in order that I may obtain information regarding the provisions of the bill.

Do I understand that the companies who propose to construct this street railway agree to repair the piers of the bridge and put them in such condition that they can be used, and that they are to pay the expenditure for that purpose?

Mr. MARTIN. They do; and the bill so provides. They have to advance the money.

Mr. ALLISON. Very well; then, that is sufficient.

Mr. HEITFELD. I desire to say that there is a provision in the bill that the cost shall be not to exceed \$35,000.

Mr. GALLINGER. Yes; that is right.

Mr. MARTIN. But the Commissioners estimate the cost to be \$25,000; so the bill requires \$10,000 more than the estimate made by the Engineer Department.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MARKING OF GRAVES OF CONFEDERATE SOLDIERS.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill (S. 6486) to provide for the appropriate marking of the graves of the soldiers of the Confederate army and navy, and for other purposes.

The PRESIDENT pro tempore. The bill will be read for information, subject to objection.

The Secretary read the bill, which had been reported from the Committee on Military Affairs with amendments; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. BATE. Mr. President, I understand the bill confines the appropriation and the burial of Confederate dead to those who died in Northern prisons, and does not affect the South at all.

Mr. FORAKER. That is true.

Mr. BATE. That is the way I read the bill. I wish to say in this connection that we in the South have taken care of our Confederate dead as far as possible, and intend doing so. This, however, is confined to those who died in Northern prisons, I understand.

Mr. FORAKER. That is true. It applies to about 30,000 graves altogether, and they are the graves of those who died in Northern prisons and who were buried in the North, near the places of their confinement.

The PRESIDENT pro tempore. The amendments reported by the Committee on Military Affairs will be stated.

The first amendment of the Committee on Military Affairs was, in line 6, before the word "war," to insert "late civil," and in the same line, after the word "war," to strike out "between the States;" so as to read:

That the Secretary of War be, and he is hereby, authorized and directed to ascertain the locations and condition of all the graves of the soldiers of the Confederate army and navy in the late civil war, 1861 to 1865, who died in Federal prisons and military hospitals in the North, and who were buried near their places of confinement.

The amendment was agreed to.

The next amendment was, on page 2, line 19, before the word "hundred," to strike out "one" and insert "two;" so as to read:

That for the carrying out of the objects set forth herein there be appropriated, out of the money in the Treasury of the United States not otherwise appropriated, the sum of \$200,000, or so much thereof as may be necessary.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HOAR. I ask the Senator from Ohio if he will look at the title of the bill and see if it reads exactly as he desires. It says "soldiers of the Confederate army and navy."

Mr. FORAKER. I am obliged to the Senator from Massachusetts for calling my attention to that point. I think the title should be amended so as to read "A bill to provide for the appropriate marking of the graves of the soldiers of the Confederate army and navy who died in prisons of the United States and were buried near their places of confinement."

Mr. HOAR. Should it not be "of the soldiers of the Confederate army and the sailors of the navy," or some such phrase? It seems to read "the soldiers of the Confederate army and navy."

Mr. FORAKER. Oh!

Mr. HOAR. I am merely asking the Senator to consider it. I do not want to meddle with the bill.

Mr. FORAKER. I think that is a very appropriate suggestion. It should be "soldiers and sailors." There should be inserted in the title after the word "soldiers" the words "and sailors."

The PRESIDENT pro tempore. The title will be amended as suggested by the Senator from Ohio.

FRANK E. FREEMAN.

Mr. NELSON. I ask unanimous consent for the immediate consideration of the bill (S. 3632) granting an increase of pension to Frank E. Freeman.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank E. Freeman, late of Battery B, First Regiment Ohio Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LIEUT. COMMANDER ARTHUR P. OSBORN.

Mr. KITTREDGE. I ask unanimous consent for the consideration of the bill (S. 4905) authorizing the President to nominate Lieut. Commander Arthur P. Osborn to be a commander on the retired list of the Navy.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Naval Affairs with amendments, in line 5, after the word "now," to strike out "no" and insert "on;" in line 6, after the word "Navy," to strike out "and entitled to all the provisions and benefits of section 11 of the act of March 3, 1899, entitled 'An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States,'" and to insert "with the rank and pay of that grade from the date of appointment under this act;" so as to make the bill read:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to nominate to the Senate Lieut. Commander Arthur P. Osborn, now on the retired list of the Navy, to be a commander on the retired list of the United States Navy, with the rank and pay of that grade from the date of appointment under this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### MONUMENTS TO GENERALS NASH AND DAVIDSON.

Mr. SIMMONS. I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 16) to carry into effect two resolutions of the Continental Congress directing monuments to be erected to the memory of Gens. Francis Nash and William Lee Davidson, of North Carolina.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent for the present consideration of a joint resolution which will be read.

Mr. QUAY. The joint resolution, I think, was read the other day.

The PRESIDENT pro tempore. It was read.

Mr. SIMMONS. Yes, sir; it has been read.

The PRESIDENT pro tempore. And objection was made to its consideration by—

Mr. SIMMONS. The Senator from New Hampshire [Mr. GALLINGER], who will withdraw his objection, I understand.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. QUAY. I do not desire to object; but I understand that the Senator from Indiana [Mr. BEVERIDGE] has a bill which he desires to present for the consideration of the Senate after this is disposed of, and I wish to say—

Mr. HEITFELD rose.

Mr. QUAY. Unless the Senator from Idaho desires to proceed with one, I will object, then, to the consideration of any other bills.

Mr. BEVERIDGE. The Senator from Idaho desires to proceed before I do.

Mr. HEITFELD. I do. I wish to call up a pension bill.

Mr. QUAY. Then I will include the Senator from Idaho. When those three measures are disposed of, I will call for the regular order.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It proposes to

appropriate \$5,000 each for the erection of monuments in honor of the memory of Brig. Gen. Francis Nash, of North Carolina, and of Brig. Gen. William Lee Davidson, of North Carolina.

The joint resolution was reported to the Senate without amendment, ordered to a third reading; read the third time, and passed.

SAMUEL L. THOMPSON.

Mr. HEITFELD. I ask unanimous consent for the present consideration of the bill (S. 6191) granting an increase of pension to Samuel L. Thompson.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on Pensions with amendments in line 6, after the word "late," to strike out "chief" and insert "principal;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel L. Thompson, late principal musician Fourth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES D. KIPER.

Mr. BEVERIDGE. I ask unanimous consent for the immediate consideration of the bill (H. R. 14518) granting an increase of pension to James D. Kiper.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of James D. Kiper, late of Company I, Twenty-seventh Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STATEHOOD BILL.

Mr. QUAY rose.

Mr. FAIRBANKS. I ask unanimous consent—

Mr. QUAY. I was about to demand the regular order.

Mr. FAIRBANKS. I will wait until the Senator from Pennsylvania has demanded the regular order.

Mr. QUAY. Mr. President, I ask for the regular order.

The PRESIDENT pro tempore. The regular order is the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

Mr. FAIRBANKS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield to the Senator from Indiana?

Mr. QUAY. Certainly.

REGULATION OF IMMIGRATION.

Mr. FAIRBANKS. I ask that unanimous consent be given to vote upon the bill (H. R. 12199) to regulate the immigration of aliens into the United States at 3 o'clock on February 2.

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent that the bill known as the immigration bill shall be voted upon, with all pending amendments and amendments then offered, at 3 o'clock on February 2. Is there objection?

Mr. CLAY. Mr. President, yesterday I interposed an objection to a request for unanimous consent to fix a time for taking a vote on the bill, but I have been informed by the committee that those in charge of the bill will not insist on lines 5, 6, 7, and 8, on page 18 of the bill, and with those lines stricken out I have no further objection.

Mr. FORAKER. Mr. President—

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Indiana?

Mr. MASON. I object.

The PRESIDENT pro tempore. Objection is made.

Mr. FORAKER. I was about to suggest that there ought to be incorporated in the agreement a proviso that we shall vote at that time upon the bill and all amendments without further debate.

CONSIDERATION OF PENSION BILLS.

Mr. GALLINGER. Mr. President, I desire to inquire who has the floor, if anybody?

The PRESIDENT pro tempore. No one, except the Senator from New Hampshire.

Mr. QUAY. I understand the Senator from New Hampshire [Mr. BURNHAM] has the floor upon the statehood bill.

Mr. GALLINGER. I ask my colleague to yield to me for one moment to make a request.

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to his colleague?

Mr. BURNHAM. With pleasure.

Mr. GALLINGER. Mr. President, there are a considerable number of pension bills on the Calendar in which Senators and others are greatly interested, and I rise to request that this afternoon at 5 o'clock one hour be devoted to the consideration of those bills or such portion of an hour as may be necessary to clear the Calendar.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that at 5 o'clock to-day the Senate proceed to the consideration of unobjected pension cases for one hour, if that time be necessary. Is there objection? The Chair hears none, and the order is made.

Mr. DUBOIS. Do I understand that we will take up the bills in the regular order?

Mr. COCKRELL. Oh, yes.

Mr. GALLINGER. Certainly; in their order.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1193) to correct the military record of Henry M. Holmes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the bill (S. 2296) to amend an act approved March 2, 1895, relating to public printing.

The message further announced that the House insists upon its amendment to the bill (S. 5118) granting an increase of pension to Adam Stuber, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DARRAGH, Mr. GIBSON, and Mr. CROWLEY managers at the conference on the part of the House.

The message also announced that the House had passed with amendments the following bills; in which it requested the concurrence of the Senate:

A bill (S. 2806) granting an increase of pension to Laura S. Picking;

A bill (S. 5845) granting an increase of pension to Joel C. Shepherd;

A bill (S. 6132) granting an increase of pension to Fannie McHarg;

A bill (S. 6361) granting a pension to Emma Dean Powell;

A bill (S. 6467) granting an increase of pension to Sarah E. Ropes; and

A bill (S. 6693) granting a pension to Mary J. Ivey.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 659) granting an increase of pension to Winfield Pierce;

A bill (H. R. 700) granting an increase of pension to Eben Slawson;

A bill (H. R. 833) granting an increase of pension to George H. Van Deusen;

A bill (H. R. 942) granting a pension to John R. Dougherty;

A bill (H. R. 1013) granting a pension to Josephine Hussey;

A bill (H. R. 1016) granting a pension to Charles S. F. Hilton;

A bill (H. R. 1024) granting a pension to James R. Ward;

A bill (H. R. 1027) granting a pension to Lavinia Cook;

A bill (H. R. 1377) granting an increase of pension to Bridget Agnes Tridel;

A bill (H. R. 1482) granting an increase of pension to John A. Smith;

A bill (H. R. 1624) granting a pension to James Allen;

A bill (H. R. 1644) granting an increase of pension to Langston P. Bryant;

A bill (H. R. 1689) granting an increase of pension to Hiram S. Thompson;

A bill (H. R. 2136) granting an increase of pension to Lawrence H. Rousseau;

A bill (H. R. 2473) granting an increase of pension to James Billingsley;

A bill (H. R. 2531) granting an increase of pension to Byron Robinson;

A bill (H. R. 2614) granting a pension to John Sullivan;

A bill (H. R. 2679) granting a pension to Nora Stokes;

A bill (H. R. 2812) granting a pension to Susan Kent;

A bill (H. R. 2987) granting an increase of pension to Charles A. Rittenhouse;

A bill (H. R. 3026) granting a pension to Martha J. Bishop;

A bill (H. R. 3213) granting an increase of pension to Belle L. Spaulding;

A bill (H. R. 3353) granting an increase of pension to John H. Kehn;



A bill (H. R. 3460) granting a pension to Jerry S. Fish;  
 A bill (H. R. 3504) granting an increase of pension to Grace A. Negley;  
 A bill (H. R. 5569) granting an increase of pension to Joseph A. Buckholz;  
 A bill (H. R. 3752) granting an increase of pension to John E. Pickard;  
 A bill (H. R. 4059) granting an increase of pension to Julia A. Cook;  
 A bill (H. R. 4441) granting an increase of pension to Oscar Brewster;  
 A bill (H. R. 4632) granting an increase of pension to William P. Rhodes;  
 A bill (H. R. 4807) granting an increase of pension to Thomas Parfitt;  
 A bill (H. R. 5010) granting an increase of pension to James W. Pace;  
 A bill (H. R. 5281) granting an increase of pension to Patrick Mahan;  
 A bill (H. R. 5511) granting an increase of pension to Cyrus V. Gorrell;  
 A bill (H. R. 5876) granting an increase of pension to Jacob E. Richards;  
 A bill (H. R. 5898) granting an increase of pension to Reuben F. Carter;  
 A bill (H. R. 6127) granting an increase of pension to Catherine P. McLorinen;  
 A bill (H. R. 6498) granting an increase of pension to John A. Whitman;  
 A bill (H. R. 6670) granting a pension to Hercules H. Price;  
 A bill (H. R. 7844) granting a pension to Alonzo Pendland;  
 A bill (H. R. 7895) granting an increase of pension to Sarah Bowen;  
 A bill (H. R. 8085) granting an increase of pension to David K. Wardwell;  
 A bill (H. R. 8165) granting an increase of pension to Oscar M. Peck;  
 A bill (H. R. 8287) granting an increase of pension to Peter Johnson;  
 A bill (H. R. 8288) granting an increase of pension to Scott Case;  
 A bill (H. R. 8314) granting an increase of pension to Joseph A. Kauffman;  
 A bill (H. R. 8617) granting a pension to Sabina Lalley;  
 A bill (H. R. 8812) granting an increase of pension to Henry Staff;  
 A bill (H. R. 9072) granting an increase of pension to George W. Steffey;  
 A bill (H. R. 9237) granting a pension to John Wallace;  
 A bill (H. R. 9570) granting an increase of pension to Isaac Gabrion;  
 A bill (H. R. 9814) granting an increase of pension to Mary Williams;  
 A bill (H. R. 9865) providing for the election of a Delegate from the Territory of Alaska to the House of Representatives of the United States, defining citizenship, and the qualifications of electors in said Territory;  
 A bill (H. R. 9987) granting an increase of pension to Aaron Young;  
 A bill (H. R. 10175) granting a pension to Mary R. Bayly, formerly Mary S. Redick;  
 A bill (H. R. 10355) granting an increase of pension to William W. Smithson;  
 A bill (H. R. 10644) granting a pension to Michael J. Madden;  
 A bill (H. R. 10869) granting an increase of pension to Michael K. Strayer;  
 A bill (H. R. 10953) granting an increase of pension to John A. M. Seitz;  
 A bill (H. R. 11139) granting a pension to Carter B. Harrison;  
 A bill (H. R. 11388) granting a pension to William Vogan;  
 A bill (H. R. 11417) granting an increase of pension to Julia Anglada;  
 A bill (H. R. 11428) granting an increase of pension to Plummer Lewis;  
 A bill (H. R. 11544) to correct the military record of Thomas J. Morman;  
 A bill (H. R. 11616) granting an increase of pension to Isaac Harris;  
 A bill (H. R. 11682) granting a pension to Mary E. Winterbottom;  
 A bill (H. R. 12021) granting an increase of pension to Anson Lewis;  
 A bill (H. R. 12052) granting an increase of pension to Franklin T. Miller;  
 A bill (H. R. 12214) granting an increase of pension to Jane A. Tillinghast;

A bill (H. R. 12316) granting an increase of pension to Wedan O'Neal;  
 A bill (H. R. 12411) granting an increase of pension to Joseph Bart;  
 A bill (H. R. 12492) granting an increase of pension to Callie West;  
 A bill (H. R. 12508) granting an increase of pension to James Jones;  
 A bill (H. R. 12602) granting an increase of pension to Amanda Burke;  
 A bill (H. R. 12611) granting a pension to Alexander J. Thompson;  
 A bill (H. R. 12771) granting a pension to William Kenny;  
 A bill (H. R. 12971) granting a pension to Thomas Martin;  
 A bill (H. R. 12991) granting an increase of pension to Gustavus S. Perkins;  
 A bill (H. R. 13088) granting an increase of pension to Hiram D. Deming;  
 A bill (H. R. 13239) granting an increase of pension to Ervin Thompson;  
 A bill (H. R. 13240) granting an increase of pension to Nimrod F. Clark;  
 A bill (H. R. 13316) granting an increase of pension to Benjamin F. Olcott;  
 A bill (H. R. 13358) granting a pension to Elizabeth A. Wilder;  
 A bill (H. R. 13386) granting a pension to Wallace Zeigler;  
 A bill (H. R. 13519) granting an increase of pension to James M. Clement;  
 A bill (H. R. 13689) granting a pension to William W. Painter;  
 A bill (H. R. 13711) granting a pension to Simon M. Yates;  
 A bill (H. R. 13793) granting an increase of pension to Solomon A. Alexander;  
 A bill (H. R. 13826) granting an increase of pension to Francis N. Bonneau;  
 A bill (H. R. 13850) granting an increase of pension to Charles K. Cameron;  
 A bill (H. R. 13881) granting a pension to William M. Wilson;  
 A bill (H. R. 14120) granting an increase of pension to Sarah A. Leopard;  
 A bill (H. R. 14143) granting an increase of pension to Augusta W. Seely;  
 A bill (H. R. 14168) granting a pension to John B. Anderson;  
 A bill (H. R. 14192) to correct the military record of Palmer Y. Percy;  
 A bill (H. R. 14217) granting an increase of pension to George M. Smith;  
 A bill (H. R. 14235) granting an increase of pension to George White;  
 A bill (H. R. 14263) granting an increase of pension to Frederick Journal;  
 A bill (H. R. 14391) granting an increase of pension to Edward Walsh;  
 A bill (H. R. 14398) granting an increase of pension to David M. Shopstaugh;  
 A bill (H. R. 14407) granting a pension to May E. Bunn;  
 A bill (H. R. 14475) granting an increase of pension to David E. Lawton;  
 A bill (H. R. 14604) granting an increase of pension to Asa C. Hill;  
 A bill (H. R. 14758) granting an increase of pension to Mary A. Talbott;  
 A bill (H. R. 14811) granting a pension to Almedia J. Robison;  
 A bill (H. R. 14845) granting a pension to Margaret Snyder;  
 A bill (H. R. 14889) granting a pension to James T. Lundy;  
 A bill (H. R. 14961) granting a pension to William E. Sharp;  
 A bill (H. R. 15038) granting an increase of pension to Lucy T. Churchill;  
 A bill (H. R. 15186) granting an increase of pension to Isaac J. Nichols;  
 A bill (H. R. 15206) granting a pension to Mary P. Everton;  
 A bill (H. R. 15358) granting an increase of pension to John Snodgrass;  
 A bill (H. R. 15362) granting an increase of pension to Grace Harrington;  
 A bill (H. R. 15387) granting an increase of pension to Lot Van Nordstrand;  
 A bill (H. R. 15400) granting an increase of pension to Enos Turner;  
 A bill (H. R. 15422) granting an increase of pension to John Mosgrove;  
 A bill (H. R. 15423) granting an increase of pension to Stephen B. Morehouse;  
 A bill (H. R. 15437) granting an increase of pension to Sarah A. Gerry;  
 A bill (H. R. 15438) granting an increase of pension to Thomas E. Peabody;

A bill (H. R. 15439) granting an increase of pension to Jane P. Chester;  
 A bill (H. R. 15443) granting a pension to Eudora Wells;  
 A bill (H. R. 15472) granting an increase of pension to William H. Chamberlin;  
 A bill (H. R. 15483) granting a pension to Lucinda J. Pratt;  
 A bill (H. R. 15528) granting an increase of pension to John C. Williams;  
 A bill (H. R. 15533) granting an increase of pension to William H. France;  
 A bill (H. R. 15572) granting a pension to Charles W. Bracken;  
 A bill (H. R. 15585) granting an increase of pension to Solomon S. Shaner;  
 A bill (H. R. 15617) granting an increase of pension to William Keith;  
 A bill (H. R. 15618) granting an increase of pension to William O. Boughton;  
 A bill (H. R. 15622) granting an increase of pension to Benjamin Cardwell;  
 A bill (H. R. 15659) granting a pension to Elise Sigel;  
 A bill (H. R. 15670) granting an increase of pension to Joseph M. Richardson;  
 A bill (H. R. 15674) granting an increase of pension to John A. T. McPherson;  
 A bill (H. R. 15693) granting an increase of pension to Delitha A. Cook;  
 A bill (H. R. 15694) granting a pension to Bessie Ledyard;  
 A bill (H. R. 15721) granting an increase of pension to Walter A. Porter;  
 A bill (H. R. 15733) granting an increase of pension to Martin G. Cole;  
 A bill (H. R. 15735) granting an increase of pension to John H. Wheeler;  
 A bill (H. R. 15746) granting an increase of pension to Daniel R. Lucas;  
 A bill (H. R. 15754) granting a pension to Frances Cowie;  
 A bill (H. R. 15757) granting a pension to Frances C. Broggan;  
 A bill (H. R. 15793) granting an increase of pension to George Skinner;  
 A bill (H. R. 15812) granting an increase of pension to Lucien B. Love;  
 A bill (H. R. 15841) granting an increase of pension to John Da Silva;  
 A bill (H. R. 15843) granting an increase of pension to Louis W. Rowe;  
 A bill (H. R. 15873) granting a pension to Minerva Murphy;  
 A bill (H. R. 15889) granting an increase of pension to Chester W. Abbott;  
 A bill (H. R. 15894) granting an increase of pension to Lewis P. Everett;  
 A bill (H. R. 15910) granting an increase of pension to James A. Hale;  
 A bill (H. R. 15911) granting an increase of pension to George N. McMurry;  
 A bill (H. R. 15961) granting an increase of pension to Jane C. Welch;  
 A bill (H. R. 15964) granting an increase of pension to Michael Murphy;  
 A bill (H. R. 15997) granting an increase of pension to Christian J. Flanagan;  
 A bill (H. R. 16053) granting an increase of pension to Henry P. Reynolds;  
 A bill (H. R. 16058) granting a pension to John Corbett;  
 A bill (H. R. 16073) granting an increase of pension to John H. Smith;  
 A bill (H. R. 16148) granting an increase of pension to Harry F. Libby;  
 A bill (H. R. 16153) granting a pension to George W. Choate;  
 A bill (H. R. 16161) granting an increase of pension to Francis A. Tradewell;  
 A bill (H. R. 16162) granting an increase of pension to George Brown;  
 A bill (H. R. 16210) granting an increase of pension to John C. Collahan;  
 A bill (H. R. 16217) granting an increase of pension to Julia E. Jones;  
 A bill (H. R. 16269) granting an increase of pension to Annie W. Coit;  
 A bill (H. R. 16271) granting an increase of pension to Gustavus W. Peabody;  
 A bill (H. R. 16272) granting an increase of pension to Enoch Dodd;  
 A bill (H. R. 16291) granting a pension to Laban McGahan;  
 A bill (H. R. 16309) granting a pension to Samuel H. Montanye;  
 A bill (H. R. 16313) granting an increase of pension to James L. Davenport, alias Dexter Davis;

A bill (H. R. 16321) granting a pension to Michael Devine;  
 A bill (H. R. 16344) granting a pension to Lucinda Lawrence;  
 A bill (H. R. 16358) granting an increase of pension to Benjamin W. Walker;  
 A bill (H. R. 16361) granting an increase of pension to John W. Chancellor;  
 A bill (H. R. 16364) granting an increase of pension to Patrick Carney;  
 A bill (H. R. 16368) granting an increase of pension to Eliza M. Hutchinson;  
 A bill (H. R. 16381) granting an increase of pension to Lymus Wallace;  
 A bill (H. R. 16391) granting a pension to Ella F. Shandrew;  
 A bill (H. R. 16423) granting an increase of pension to Eliza B. Abbott;  
 A bill (H. R. 16445) granting a pension to Luke Madden, alias John E. McDonald;  
 A bill (H. R. 16465) granting an increase of pension to William H. Knepple;  
 A bill (H. R. 16492) granting an increase of pension to Wilson G. Gray;  
 A bill (H. R. 16499) granting an increase of pension to Charles S. Wainwright;  
 A bill (H. R. 16512) granting an increase of pension to John Dineen, now known as John J. Davidson;  
 A bill (H. R. 16522) granting an increase of pension to Caleb C. Van Sickell;  
 A bill (H. R. 16534) granting an increase of pension to James H. Durham;  
 A bill (H. R. 16564) granting an increase of pension to James Hunter;  
 A bill (H. R. 16591) granting an increase of pension to James Mattingly;  
 A bill (H. R. 16697) granting a pension to Ellen Johnson; and  
 A bill (H. R. 16711) granting a pension to Ann Gilbert.  
 Subsequently the foregoing pension bills were severally read twice by their titles and referred to the Committee on Pensions.

# POST-OFFICE AT INDIANOLA, MISS.

Mr. BURNHAM. Mr. President—

Mr. SPOONER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Wisconsin?

Mr. BURNHAM. Certainly.

Mr. SPOONER. I take the floor on the statehood bill technically only. I do not intend to address to the Senate a word upon the subject of statehood for New Mexico, Arizona, or Oklahoma, and I wish no misunderstanding of my purpose in asking the Senator from New Hampshire to yield to me for a few moments. I hope I will not be regarded, either, Mr. President, as rising for the purpose of obstructing in any manner the consideration of the bill. I am somewhat impressed with the notion that even the Senator from Pennsylvania is not burdened with that keen sense of necessity for constant pressure of this bill which he indicated the other day, in view of the fact that every day when this bill is reached so much time is taken, by his gracious permission, by Senators in calling up and having disposed of bills which have no relation of course to the subject which constitutes the unfinished business. The Senator from Pennsylvania [Mr. QUAY] suggests to me that he will remedy that on Monday.

How long the Senator will be permitted by the Senate to hold the floor and allow no business to be done, except speeches upon the statehood bill, save with his permission, of course I do not know. That will be a matter for the Senate to determine. The Senator is within his strict parliamentary rights, but it is rather a humiliating attitude—I express only my own judgment—that day after day the public business should be done in this way—bills called up and passed, the Senator objecting to even a report being read in order that the Senate may know on what it is called upon to vote.

Mr. QUAY. This discussion, if the Senator will permit me—

Mr. MASON. Mr. President—

The PRESIDING OFFICER (Mr. SIMMONS in the chair). Does the Senator from Wisconsin yield to the Senator from Illinois?

Mr. SPOONER. I yield to the Senator from Illinois.

Mr. MASON. I merely wanted to ask the Senator if he is not chairman of the Committee on Rules, and if there has not been pending before his committee, without a report, for nearly six years, a proposed rule whereby the majority of this body can transact business?

Mr. SPOONER. I think a proposition of that kind has been pending for nearly sixty years.

Mr. MASON. No; not so long as that, because at one time, within forty years, there was a chance whereby the majority could do business in this body; but since that change of practice the business of the public is left entirely in the hands of the minority.



Mr. SPOONER. I think the Senate, without any rule of the kind referred to by the Senator from Illinois, transacts as much legislative business as any other legislative body in the world, and it does it, too, upon debate, generally with full consideration, with very little friction and in an intelligent and public-spirited way.

On January 15 the junior Senator from Mississippi [Mr. McLAURIN] rose to a question of privilege and submitted some observations concerning the post-office and the conduct of the postal business at Indianola, Miss. It was not in any sense, although I do not say that to criticize the Senator, a matter of privilege, but it was a matter which was not before the Senate and a matter therefore upon which no one can speak except he take the floor upon some measure.

I wish to say two things in the beginning, and I shall not occupy much of the time of the Senate. In the first place, I do not criticize the Senator from Mississippi for what he said. His speech was a temperate one and a courteous one to the President and to the Postmaster-General. No one could have spoken upon a subject of this kind or of any kind in finer spirit than he did.

I want to say another thing, Mr. President. I do not intend to discuss or to be drawn into a discussion of what is called the negro question or the race question. I intend to confine myself to what I think is a fair view, as I understand it, of the circumstances surrounding the Indianola post-office matter; and I justify entirely the attitude of the Postmaster-General, who is a distinguished citizen of my State, and the President in regard to it.

The Senator from Mississippi based his observations entirely upon a short extract from a statement which, he says, was "made by Secretary Cortelyou for the President in reference to the suspension of business in the Indianola post-office in the State of Mississippi." I send to the desk and ask to have read the entire statement from which that extract was taken, for that statement in many papers in the country has been published in garbled form.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

The postmaster at Indianola, Miss., is Mrs. Minnie M. Cox, a colored woman. She served three years as postmaster under President Harrison. When President McKinley came in she was again appointed, in 1897, nearly six years ago. Her character and standing in the community are indorsed by the best and most reputable people in the town. Among those on her bond is the present Democratic State senator from the district, together with the leading banker of Indianola, and an ex-State senator from the district, also a Democrat. The postmaster and her husband own from \$10,000 to \$15,000 worth of property in Sunflower County. The reports of the post-office inspectors who have investigated the office from time to time show that she has given the utmost satisfaction to all the patrons of the office; that she is at all times courteous, faithful, competent, and honest in the discharge of her duties. Her moral standing in the community is of the highest. Her reputation is of the best. Few offices of this grade in any State are conducted better.

The postmaster recently forwarded her resignation to take effect on January 1, but the report of inspectors and information received from various reputable white citizens of the town and neighborhood show that the resignation was forced by a brutal and lawless element, purely upon the ground of her color, and was obtained under terror of threats of physical violence.

The mayor of the town and the sheriff of the county both told the post-office inspector that if she refused to resign they could not be answerable for her safety, although at the same time not one word was said against her management of the office.

On January 1 the bondsmen of the postmaster telegraphed that the post-office was closed; that the postmaster claimed that her resignation was in the President's hands, to take effect January 1, and that there had been no advice of the appointment of her successor. The telegram closed with this statement: "Prompt action necessary for relief of business interests." In the view of the President the relief of the business interests, which are being injured solely by the action of the lawless element of the town, is wholly secondary to the preservation of law and order and the assertion of the fundamental principle that this Government will not connive at or tolerate wrong and outrage of such flagrant character.

By direction of the President the following telegram was sent by the Postmaster-General to the bondsmen:

"The postmaster's resignation has been received, but not accepted. In view of the fact that the office at Indianola is closed, all mail addressed to that office will be forwarded to Greenville."

The papers in the case have been sent to the Attorney-General for action.

Mr. SPOONER. Mr. President, the Senator from Mississippi in his observations assumed that there is in that statement, issued by authority, as he said, of the President, and I have no reason to doubt that it was issued by authority of the President, a general characterization or arraignment of the people of Indianola as brutal and lawless, and he proceeded to say:

I know the people of that community, and they are not a lawless or a brutal element. They are a high-toned, chivalrous, intelligent, industrious, and thrifty people, and a law-abiding people.

That is not controverted in this statement. The Senator will find in that document no such general characterization of that people as he assumes. I will venture to say that there is no man in the country who would be less likely to impeach in such a general way the citizens of Indianola. The statement there is that the resignation of this postmistress was forced by a brutal and lawless element in the community. There are communities all over the United States composed of people who, taken as a

whole, are chivalrous, just, and law abiding, but it would be a rare thing, I think, North or South, to find a community of fifteen hundred or two thousand people in which there is not a lawless and brutal element.

The President was informed by the papers that a majority of the people of Indianola are such as the Senator describes them to be, and that they were opposed to the proceedings which forced—I say forced—the resignation of this postmistress. And one authority for it—and I do not intend to give the name either, the Senator from Mississippi is aware of it; is one which would be without hesitation accepted by a President or by the Senate—

Mr. McLAURIN of Mississippi. Will the Senator allow me to interrupt him there?

Mr. SPOONER. Certainly.

Mr. McLAURIN of Mississippi. My attention was called by the Senator from Texas at the time his statement was made, and I did not catch what it was the Senator said I was aware of.

Mr. SPOONER. I said there is the highest possible authority in the papers which were before the President, establishing the fact, which could not be gainsaid, that the large majority of the people of that community are such as the Senator described—peaceable and law-abiding people, who deprecate the action of the minority which forced this resignation, but who did not prevent it.

Mr. McLAURIN. Lest I by my silence may be considered as acquiescing, as being aware of it, I must dissent from the statement of the Senator. I am not aware of that.

Mr. SPOONER. I was informed by the Postmaster-General that he had read the papers in this matter to the Senator from Mississippi, including the particular paper which I had in my mind when I made the statement.

Mr. McLAURIN of Mississippi. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. SPOONER. Certainly.

Mr. McLAURIN of Mississippi. The Postmaster-General read to me a portion of the first report of the post-office inspector and he read to me also the letter of the Congressman-elect from that district. If he read anything other than that, I do not recall it at this time.

Mr. SPOONER. The letter of the Congressman-elect was the letter to which I refer, and I would not have identified the writer—

Mr. McLAURIN of Mississippi. Will the Senator allow me to ask him a question?

Mr. SPOONER. Certainly.

Mr. McLAURIN of Mississippi. Has the Senator seen all the papers in the possession of the President and the Postmaster-General in reference to this matter?

Mr. SPOONER. I have seen the papers, the reports of the inspectors, and I have seen a large number of letters. I have seen the brief which is usually made up in the Department giving a concise statement of all the papers upon which the President acted.

Mr. McLAURIN of Mississippi. Has the Senator reason to believe that any of the papers are in the possession of the President or the Postmaster-General in connection with this matter that he has not seen?

Mr. SPOONER. I have no reason to believe it.

Mr. McLAURIN of Mississippi. I did not catch the answer of the Senator.

Mr. SPOONER. I have no reason to believe it. I did not read all the papers. There were no papers, I am quite certain, that were important that my attention was not called to, and that I might not have read had I so desired.

Now, Mr. President, is it perfectly clear, to begin with, and no one can dispute it, that this postmistress resigned. That is established by the Senator. It is perfectly clear also that her term of office had not expired and would not expire for a year. It is perfectly clear also, Mr. President, that she did not desire to resign; that she desired to continue to the end of her term to discharge the duties of that office as an agent of the United States.

The Senator furnished some evidence intended to exculpate the people of Indianola from a charge not made against them, which clearly shows the method which was pursued to make her anxious speedily to tender what is called a voluntary resignation. He read the letter of P. C. Chapman, a prominent lawyer in that community, whom he characterizes as an honorable gentleman, and I have no purpose to controvert it. I know of no ground upon which it could be controverted. It is interesting reading.

Mr. PETTUS. Mr. President, I desire, by his permission, to ask the Senator from Wisconsin a question.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Alabama?

Mr. SPOONER. Certainly.

Mr. PETTUS. Mr. President, I would be very glad if the Senator would inform us, if he has the information, how and by whom this postmistress was forced to resign.

Mr. SPOONER. I am about to do that, Mr. President, though I can not take the time to furnish all of the abundant evidence, upon which no President, I think, whatever his politics might be, could come to any other conclusion than that she was forced to resign. She was in the discharge of her duties. She was appointed first by President Harrison. During Mr. Cleveland's Administration she was not postmistress. She was reappointed by President McKinley, and she has not been, of course, appointed by President Roosevelt, for her term under President McKinley's appointment does not expire for a year.

She was appointed by the President of the United States without a contest, confirmed by this body, duly commissioned, her bonds being procured and signed by white gentlemen—chivalrous gentlemen and just men, a State senator, an ex-State senator and president of the bank in Indianola—and during all the years, Mr. President, from the day she entered upon the discharge of the duties of that office up to the day she left it there has been no complaint lodged with the Department or communicated to the President of neglect upon her part, of incivility upon her part, of any of the "insolence of office" we find now and then in Washington and in other parts of the world in white persons who hold generally small offices. The reports of the inspectors, and the office had been repeatedly under the rules carefully inspected, failed to disclose from the beginning to the end any criticism of her. On the contrary, Mr. President, they all commend her in the highest degree for efficiency and politeness.

She had as much right under the Constitution and laws of the United States—a Federal instrumentality, discharging Federal functions within the limits of a State—to hold her office without duress, without obstruction, moral or physical, as we have, anyone of us, to sit in this Chamber and to discharge here without intimidation of any kind our duties.

I read the letter of Mr. Chapman, put in the RECORD by the Senator from Mississippi, which shows a misconception upon the part of that gentleman, from my point of view, of their relations to the Federal Government as complete as can be conceived of. A mass meeting was called. It was not a large mass meeting. I understand it was not called for the purpose of dealing with the question as to whether the postmistress should continue to discharge her duties or not. At any rate, that was not the only subject which came before the meeting. Some racial trouble had occurred there because of the alleged misdoing of a colored porter, and at that meeting the question was discussed whether a colored doctor, a Dr. Dudley, of lucrative practice, should remain there or leave.

I do not know that the proceedings are of record or were preserved; I have not seen them; but a majority of the people at that meeting said that Dr. Dudley need not leave. There was a strong minority, however, very aggressive, as I understand it and as the papers show, who insisted that he must leave, and my understanding is that, situated as he was, he took the advice of the minority. That has no connection with this subject at all except in a way and I do not intend to discuss it. I do not mention it except in its relation to this case. It shows that at that meeting, in which originated the action that was taken as to the postmistress, there was excitement, and there was, perhaps not physical threat, but moral threat as to a colored person other than this woman.

Now, what was done at that meeting? Let Mr. Chapman state: The facts are, briefly stated, that about the 1st of October the citizens of Indianola held a meeting and appointed a committee of three to circulate a petition asking Minnie Cox to resign.

This petition was not to be presented to Minnie Cox after the signatures had been obtained. This meeting adjourned to meet again, and this petition or these petitions were to be reported at the adjourned mass meeting. She had a perfect right to resign if she wanted to. She was a voluntary agent so far as that was concerned. She had indicated no purpose to resign, but a purpose was indicated that she should resign.

This petition was to be returned at a meeting of the citizens to be held a week later. The petition was circulated and was signed by a large number of citizens of Indianola. Wayne Cox, husband of Minnie Cox, on the evening of the second meeting, called at my office and said he desired to have me state to the mass meeting—

Can any man doubt the feeling which led him to this conference with Mr. Chapman?

and said he desired to have me state to the mass meeting that night that he had discovered that the citizens of Indianola did not wish his wife to act as postmistress any longer, and he would therefore request that I read the inclosed resignation of his wife as postmistress to the mass meeting that night, which resignation he delivered to me.

The resignation was signed by his wife. The only request made in regard to the resignation was that his wife should have time.

Think of it! She was not tendering her resignation to take effect when she chose. She was not at liberty, this paper clearly

shows, to define according to her will the terms of her own resignation.

The only request made in regard to the resignation was that his wife should have time—

This was to be submitted to the meeting, and it was submitted to the meeting, according to this statement; and the mass meeting which had instituted the proceeding leading to the request of those people that she should abandon her place as a Federal agent in Indianola, fixed the time when her resignation should take effect.

The only request made in regard to the resignation was that his wife should have time to get her reports ready and get the office in shape so that she might get out with a perfect settlement of the affairs with the Government.

It is due to this mass meeting that it should be stated that with chivalrous magnanimity they gave her time to settle her accounts with the Government and to abandon the office and to protect her bondsmen.

He stated further that he had been a citizen of this county for years, and that the white people were his friends and had always treated him properly, and that he and his wife did not wish to hold the office when a petition—

Not that she did not wish to hold the office—

when a petition had been freely signed by the citizens of Indianola asking for her resignation. This resignation was read to the mass meeting, as requested, THE RESIGNATION WAS ACCEPTED—

Mr. CARMACK. What is the Senator reading from?

Mr. SPOONER. I am reading from a letter from a distinguished lawyer, Mr. Chapman, which was put in the RECORD by the distinguished Senator from Mississippi [Mr. McLAURIN].

Mr. CARMACK. I only asked for information.

Mr. SPOONER. I know; I am giving it.

This resignation was read to the mass meeting, as requested, the resignation was accepted, and the time named for the resignation to take effect was January 1, 1903.

When before was it left to a "mass meeting" in a locality to accept a resignation of a Federal official and to fix the time—which should be fixed by the individual if at all—when the resignation should take effect?

I was present at both of the meetings and can state of my personal knowledge that no threats or intimidations were made by any party at these meetings, no committee was appointed to notify Minnie Cox, and no official representative from either of these meetings had any communications with Wayne Cox or the postmistress relative to her resignation.

Whether that was duress or not, whether the meeting itself, and the action of the meeting was a threat or not, whether it indicated the presence there of a brutal or lawless element or not, depends, Mr. President, upon the point of view. The sheriff of the county, a man whose business under the law it is to preserve the peace, to protect life and property in the community, to safeguard the rights of the people within his bailiwick from violence, was present at that meeting. He was a part of that meeting, he to whom she could look, and he only, in the community doubtless, in the event of trouble, for protection. This was put in the RECORD by the Senator from Mississippi.

The mayor of the town and the sheriff of the county both told the post-office inspector that if she refused to resign they could not be answerable for her safety, although at the same time not one word was said against her management of the office.

Mr. McLAURIN of Mississippi. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. SPOONER. Certainly.

Mr. McLAURIN of Mississippi. The Senator does not undertake to state that I—

Mr. SPOONER. Oh, no; I said you put that in the RECORD.

Mr. McLAURIN of Mississippi. From the statement—

Mr. SPOONER. From the statement of Mr. Cortelyou.

Mr. McLAURIN of Mississippi. As a part of the statement of the Secretary to the President, not as my statement.

Mr. SPOONER. Oh, no; I said that the Senator said this:

I have the statement, not written to me, but over the signature of the sheriff of the county, from which I quote this in reference to that point. It is under date of the 11th of this month:

"No notice of lawlessness"—

And I call attention to the fact that he does not deny in what the Senator put in the RECORD the statement of the post-office inspector that he had informed him that if this woman continued to discharge the duties of the Federal Government in that community under her commission from the President he could not be "answerable for her safety."

Mr. McLAURIN of Mississippi. Will the Senator allow me a question?

Mr. SPOONER. Certainly.

Mr. McLAURIN of Mississippi. Is there anything in that to indicate that the sheriff either expressly or impliedly showed that he had any notice that it had ever been charged that he had stated he could not be answerable for her safety, or is there anything there that called for any denial by the sheriff?



Mr. SPOONER. I do not know—  
Mr. McLAURIN of Mississippi. Or is there anything to show it in the statement by the inspector?

Mr. SPOONER. I do not know what this was an answer to. But this is what the sheriff says:

"No notice of lawlessness has been brought to my attention, and if there had been any I would have been the proper official to communicate with."

I infer that, although there is not very much of this letter.

"And in any event"—

Something drew out this letter; and I have evidence that the sheriff knew that it had been reported of him that he had made this statement to the inspector. I suppose, although I may be mistaken, that this letter had some reference to that.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Certainly.

Mr. TILLMAN. I should like to ask a question on a law point of the Senator from Wisconsin. Is it the duty of the sheriff to constitute himself a bodyguard of a citizen who may be threatened, or imagine that his life is in danger, or does it devolve upon him to execute the laws in arresting criminals?

Mr. SPOONER. He is the conservator of the peace up North.

Mr. TILLMAN. Do you mean that he constitutes himself a bodyguard and can guarantee that lawlessness will not occur?

Mr. SPOONER. He is not a bodyguard or guarantor; he is the conservator of the peace.

Mr. TILLMAN. How is he to know when the peace is going to be broken unless some one informs him that it is going to be broken?

Mr. SPOONER. Suppose he is walking along the street and sees that the peace is being broken?

Mr. TILLMAN. Then of course it is his duty to interfere and stop the fight or—

Mr. SPOONER. Suppose he has reason to believe that it is likely to be broken? It is his duty to guard against it.

Mr. TILLMAN. I have not found in reading of the Northern people, or of the Southern people, or of any other Anglo-Saxon people, that sheriffs are so active in running around to preserve order and quiet.

Mr. McLAURIN of Mississippi. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. SPOONER. Certainly.

Mr. McLAURIN of Mississippi. The point to which I wanted to direct the attention of the Senator is this: The Senator has made the statement or allegation or charge that the sheriff, in the extract which I quoted from a letter from him that was published in the Memphis Morning News, did not deny that he had told the post-office inspector he could not be responsible for Minnie Cox's safety if she should return to Indianola and take charge of the office. Now, that is what I want to direct attention to. The question which I want to address to the Senator is this: Is there anything—

Mr. SPOONER. Will the Senator make that statement again? I was looking at a book.

Mr. McLAURIN of Mississippi. I say the Senator from Wisconsin said in substance (I can not remember the exact language) that in the extract which I put in the RECORD from the letter of the sheriff of Sunflower County, published in the Memphis Morning News, he did not deny that he had told the inspector he could not be responsible for the safety of the postmaster if she returned to take charge of the office. Now, the question I want to ask is: Does the Senator contend that there is anything in the matter to which the sheriff of Sunflower County was replying in that letter which required him to say whether or not he made the statement to the inspector that is attributed to him?

Mr. SPOONER. The Senator asked me that question some time ago, and I told him then what I must tell him now, that I have never seen the letter to which the sheriff was responding. If he was responding to any letter, I do not know whether there was anything in the letter to which he was responding which brought to his attention the charge or the allegation that he had told the inspector if this woman did not resign he would not be answerable for her safety.

Mr. McLAURIN of Mississippi. Now, then, the inference drawn by the statement of the Senator, that the sheriff did not deny the charge which was made by the inspector, or the charge that was attributed to him, is that he, not having denied it, tacitly admitted it. Unless there was something in the letter or the interview to which he was replying that called for a denial from him, is it not a fact that that is not an implied admission or a tacit admission of the sheriff of the charge that is made against him?

Mr. SPOONER. I do not think so. Taken alone it might be so, but on the papers in this case I do not think so.

Mr. McLAURIN of Mississippi. The Senator, then, contends

that in every instance where the sheriff is writing anything about this matter, however irrelevant it may be, he must state in that article that he never made any statement attributed to him?

Mr. SPOONER. I do not contend any such thing; but I do say the sheriff knew the post-office inspector had reported that he had said to him he would not be answerable for the safety of this officer of the Federal Government if she continued to be an officer of the Federal Government.

Mr. McLAURIN of Mississippi. Then, does the Senator contend that, knowing that, in every communication of the sheriff he must be taken as tacitly admitting he made that statement unless he expressly denies it in the communication?

Mr. SPOONER. Oh, no.

Mr. McLAURIN of Mississippi. That is the point on which I wish information.

Mr. SPOONER. I do not contend that; but I contend if he knew that when he came afterwards to deal with this subject and with the question of lawlessness there, it would have been perfectly natural for him to have said something about it.

Mr. McLAURIN of Mississippi. Whether the letter to which the reply was made was relevant or not?

Mr. SPOONER. Was this a reply to a private letter?

Mr. McLAURIN of Mississippi. No, sir. It was, I believe, an interview. I have not got the paper. I gave it to the Reporter when I put that extract into the RECORD.

Mr. SPOONER. He was discussing the Indianola case in the newspaper, was he not?

Mr. McLAURIN of Mississippi. He was replying to a statement that had been made by somebody else and not by the inspector. That statement had been made by somebody else. In that reply his attention was necessarily not directed to the charge of the inspector.

Mr. SPOONER. It was not to that point I was reading.

The statement continues:

"No notice of lawlessness has been brought to my attention, and if there had been any I would have been the proper official to communicate with. And in any event, regardless of color or previous condition of servitude, my services have always been at the command of the citizens of this county and State."

Why he should have said that without any motive, why he should defend himself in any way unless he had been in some way impeached, the Senator can perhaps explain. I do not undertake to do so.

"I will further state"—

Mr. McLAURIN of Mississippi. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. SPOONER. I will yield to the Senator later.

The statement proceeds:

"I will further state"—

And this is the real point to which I read this letter—

"I will further state that I was present at the citizens' meeting held in the court-house, and the only thing we stand charged with is that the citizens exercised their rights as American citizens to request the resignation of the postmaster. No threats were made or implied"—

That is a conclusion—

"simply a request. The Constitution gives every citizen his right to express his views on any subject."

So we have here not only the ordinary citizens composing that meeting requesting or initiating proceedings to lead to a popular demonstration by way of petition to be reported for action at an adjourned meeting, but we have the sheriff of the county, the peace officer of the county, present in that meeting and acting with it and defending it.

Now, Mr. President, was that duress or was it not? Would the woman have resigned, does the Senator say, of her own will? Did she wish to resign?

Mr. McLAURIN of Mississippi. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield?

Mr. McLAURIN of Mississippi. The Senator asks me a question. I was not permitted a while ago to interrupt him, and I do not know whether he desires an answer to the question or not.

Mr. SPOONER. The Senator will have time to answer, undoubtedly, but he may answer now if he prefers.

Mr. McLAURIN of Mississippi. I say she did resign the office entirely of her own free will, according to all the information I have.

Mr. SPOONER. Of course she did resign. But did she wish to resign? Would she have resigned, Mr. President, of her own free will in the absence of the pressure of this mass meeting and organized petitions? The petition was not presented to her before this second meeting was held. The very evening of it she sent her resignation by her husband, asking that it be read to the mass meeting. Such resignations are usually sent to the President of the United States to be acted upon by him. They are not

usually sent to a mass meeting for its action; but this petitioner sent it to this meeting by her husband, asking that it be read to the meeting.

That was the attitude of the affair; it was an attitude of supplication. The request was addressed to a superior power, in her mind, asking that a time might be fixed by that mass meeting for her resignation to go into effect, which would enable her to close up her accounts with the Government and turn over the Government property without responsibility to her or to her bondsmen.

It is as idle as the wind, Mr. President, to cavil upon the proposition that this was not a forced resignation. It is altogether evasive to dwell upon the "politeness" of the request for her resignation. It was the power behind it which constituted the duress; it was the fact that that power was executed by white citizens of that county, and that this person against whom it was directed was colored.

There is no arbitrary rule as to what constitutes duress. There was once, but there is not any longer, and has not been since Bouvier's time. The old strict rule of the common law, long, long ago, in the interest of humanity, disappeared; and what constitutes duress in one case does not in another. What constitutes duress? If both parties be of equal power, of equal intelligence, it does not, as a rule, constitute duress. The law takes into account, even in matters of private contract, the difference in the status and condition of the parties. The law distinguishes between the case of two strong men and the case of one strong man and one weak woman.

If it was not duress, what was it? It was the power of the community originating in this meeting, represented by petition, circulated in an organized way to bring pressure, for it constituted pressure, upon this agent of the Federal Government to quit her post of duty, not when *she chose*, not when the Federal Government chose, not when the President chose, but when *this mass meeting chose*.

Lawless! I appreciate very fully the difficulties of the situation in parts of our country, and I sympathize with it, too. I have often heard the appeal made—and I had it made to me once by a Southern Senator whom I dearly loved, and whose memory I revere as tenderly as any of his comrades of the South can revere it—whether I should like to have my wife or my daughters, if I had daughters, receiving their mail at the hands of a lascivious-eyed black man.

That is one thing; but this was a *woman* of stainless character, a woman of thrift and economy, a woman of self-respect, a woman whom this Senate had passed upon not once, but twice, after she had been tried in the office. Whether it was brutal or not is a matter of opinion. I have always thought it was a brutal thing, save in exceptional and extreme circumstances, for a man to strike a woman. I have always thought it a brutal thing for strength of numbers to coerce a woman. It was lawless, and from my standpoint it was brutal in the manner in which it was done and brought about, because it was an organized mass effort against a woman. Mind you, if she had been neglectful in her office, the right of petition was there. The President could have been advised.

If she had been discourteous or in any wise unfit, the good people of Indianola had their remedy. They could, at least, have petitioned the power which appointed her, which is also the power to remove her. They could, at least, have complained to the post-office inspector that the office was not conducted to their taste, but they did not; and there is not a postmaster or postmistress North or South whose record, running through the years, is cleaner for efficiency and politeness than is the record of this postmistress. There was no danger to the *white women* of Indianola from this *colored woman*.

There is a principle underlying this, Mr. President. It is a principle of the highest importance, and I will refer to it in a moment.

The Senator from Mississippi mentioned the member of Congress elect from that district. I would not have mentioned him. His letter is obviously that of an educated man, an able lawyer, and of a manly man. It bears on the point, Mr. President, whether threats, undue pressure—and any pressure would be undue under such circumstances—were brought to bear upon this woman to compel her to abandon the discharge, against her will, too, of the duties of postmistress.

This letter vindicates also the people of Indianola, as a whole, from the charge against which the Senator defended them—a charge which was not made in the statement he quoted from.

GREENVILLE, December 22, 1908.

DEAR SIR: I have conferred with several of the most prominent citizens of Indianola in reference to the post-office affair about which I spoke to you last week—

This is dated December 22, before the time fixed by this mass meeting for the taking effect of the resignation had arrived.

I have conferred with several of the most prominent citizens of Indianola in reference to the post-office affair about which I spoke to you last week, and am sorry to say I could do nothing to relieve the present strained relations.

Strained how and why? Strained because she was not fit? No. Strained because she was not a good woman? No. Strained because of any complaint? No—strained because of her color only. She had held the office for years without protest.

I am advised by some of the most influential gentlemen there that a very large proportion of the patrons of the office, while they are practically unanimous in the desire to have a white person in charge of the office, are opposed to the course which has been pursued and is still being persisted in, in insisting upon the resignation of the present incumbent.

There are some, however, though I am advised they are few in number, who express a determination not to give their assurance that all will be well if the resignation is not accepted.

Here is a gentleman of the locality, a man of honor, a man of high professional eminence, a man trusted by the people of that district, who exculpates and vindicates the great mass of the people there from this charge, which has not been made against them, and says that they deprecate the course of this small and determined element, which I call a lawless element, and which this statement brands as a lawless element:

I have not been given any names, nor have I learned of any direct threats, but I have no doubt threats have been made.

And then he enters into—

Mr. TILLMAN. Mr. President, will the Senator tell us what he is reading?

Mr. SPOONER. I am reading from a letter addressed to the post-office inspector by the member-elect of the House of Representatives.

Mr. TILLMAN. The Senator might just as well give us his name.

Mr. SPOONER. His name is B. G. Humphreys. I would not have given his name if the Senator had not asked for it.

Mr. TILLMAN. The gentleman is not ashamed of anything he has written?

Mr. SPOONER. He has no occasion to be ashamed of anything he has written.

Mr. TILLMAN. Then there is no need for concealment.

Mr. SPOONER. That is the opinion of the Senator from South Carolina. I would not read all the paper, not because I am afraid to read anything here, either—

Mr. TILLMAN. Mr. President, this is not a matter in which I am interested more than any other Southerner, and the Senator from Mississippi [Mr. McLAURIN] is amply able to defend his people and to take care of himself and them. Therefore I do not want to have the appearance of intermeddling; but when I asked that the Senate be informed as to who was speaking I thought it was a legitimate inquiry, and I do not think there is any reason for concealment here.

Mr. SPOONER. I have not concealed anything.

Mr. TILLMAN. The Senator seemed to criticize my requesting light on a fact that every Senator here realizes would at least satisfy us a little better than for him to be reading from something that we did not know.

Mr. SPOONER. This gentleman makes an argument against abolition of the office, a very strong appeal against the abolition of the office. He concludes:

I am sorry I have made such a poor success as a handler of oil in these troubled waters, but the race prejudice—which is strong in us all—is running too high just now in Indianola to be checked or curbed by a simple resort to reason.

Now, I want to say to the Senator from Mississippi that he was in error when he said in his very temperate statement that the office had been abolished. The office has not been abolished. The Federal Government still has a post-office in Indianola, and the Federal Government still has a postmistress for Indianola. The President, as I understand the law, could not abolish the office, because it is an office at a county seat.

The 1st of January came, the day when this resignation was to take effect. The President, from the papers, knew that this woman had been forced to resign, that she did not wish to resign, that she had applied to the people there for leave, without disturbance, to serve out her term. Only that and nothing more.

The inspector telegraphed to Cochran, who, I think, is the chief inspector:

M. L. Cox, postmaster, Indianola, Miss., wires: "Have been told by reliable parties that I am not permitted to open post-office here." Full report is before Department. Please advise me what we should attempt to do. Without instructions we might possibly pursue course other than that deemed desirable.

What was done? The President refused to have a Federal office, held by a competent person, vacated against her will and under duress by local pressure, and, as the people there had closed the



office to all intents and purposes, he declined to accept the resignation; and in doing that, Mr. President, he acted upon a principle absolutely essential to the virility and strength of the National Government.

It presented itself to him, as it will present itself to thoughtful men everywhere who are unbiased, as vital to the Government of the United States that it shall be permitted to transact the Government business, to protect the Government property through such agencies in the States as the Government selects in the constitutional way, without consent or interference locally—and I will deal with that briefly in a moment. It is that principle, Mr. President, which underlies the action of the President and upon which I have justified his action, because, whatever else the Senator may think the President was misinformed about, he was not misinformed upon the proposition that this woman did not wish to resign; that she desired to serve out her term of office, and that she would have done that if she had been permitted.

I think part of this difficulty arose from the fact that some white gentleman in the community conceived the idea that if this woman could be gotten out of the office one of them would be appointed to it.

Here is a letter, signed by Mr. A. B. Weeks, dated Indianola, September 19, 1902, which throws some light upon the situation and the determination, long in advance of this meeting, to force this postmistress out of the discharge of those duties:

The FOURTH ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C.

DEAR SIR: There is a determined effort of the people of this town to make the present postmistress resign or give up the office in some way. They only do this because she is colored. I do not indorse—

The post-office inspector names him as one of the chief instigators and agitators to the end that this woman be forced out.

I do not indorse, and shall not take any hand in it, as I would be powerless to defend her against the whole town and community.

This is the partner of the mayor.

They will be satisfied—

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Certainly.

Mr. TILLMAN. Will the Senator inform us whether there is anything there to show, or if he knows, the complexion of the politics of that man?

Mr. SPOONER. Yes; I will tell the Senator what it is in a minute. I think he has always been a Democrat.

Mr. TILLMAN. A Gold Democrat, a commercial Democrat?

Mr. SPOONER. No; an honest-money Democrat.

Mr. TILLMAN. A Democrat who would start toward the Republican party if he could get a job? [Laughter.]

Mr. SPOONER. A Jackson Democrat; not any other kind of a Democrat.

They will be satisfied with my appointment or any other white person's appointment, but they do not want a colored person in the office. I hope the excitement will blow over—

This was on September 19—

but if it does not, I will be glad for you to remember my application for the office.

[Laughter.]

Mr. BERRY. Does the Senator think that an honest man?

Mr. SPOONER. I think the letter shows, for he is a prominent man there. I did not say "an honest man." I do not know anything against his honesty. I said he was an honest-money Democrat, from my standpoint, and I presume—

Mr. TILLMAN. And a Jackson Democrat?

Mr. SPOONER. Yes, a Jackson Democrat; and I presume the Senator would not impugn the honesty of a Democrat because he was a Gold Democrat or because, as my friend from Indiana [Mr. BEVERIDGE] says, he wanted an office.

Mr. BERRY. Under a Republican administration.

Mr. SPOONER. The letter continues:

You will do me quite a favor if you will put my application before the President, as I think that he has to appoint the postmaster at this place. Anything that you will do for me will be very much appreciated.

Yours, very truly,

A. B. WEEKS.

I made application for appointment to this office about four months ago.

Mind you, this woman had yet a year to serve. He knew that, and they all knew that. Here is another letter.

J. L. Davis.

That is the mayor.

A. B. Weeks.

That is this gentleman.

Office of Davis & Weeks, real estate agents. Indianola—

Mr. TILLMAN. Is he a man of the same stripe—a Gold Democrat? Is this man from whom you are going to read of the same stripe?

Mr. SPOONER. The same man and of the same type.

Mr. TILLMAN. You said you were going to read the mayor's letter.

The PRESIDENT pro tempore. Senators must rise in their places when they address the Senate.

Mr. SPOONER. I yield to the Senator from South Carolina.

Mr. TILLMAN. Then I will rise and repeat my question.

Mr. SPOONER. The Senator from South Carolina has not addressed the Chair.

Mr. TILLMAN. Mr. President, it is always pleasant to be taught by my distinguished friend, because he does it in such a nice way, and then he is so capable of teaching.

I desire to ask the Senator now, in an orderly manner and according to the rules, whether or not the man from whom he is about to read is a man of the same type as the writer of the letter he just read?

Mr. SPOONER. It is from a man of the same type, because it is from the same man. [Laughter.]

Mr. TILLMAN. I understood the Senator, as I think the RECORD will show—

Mr. SPOONER. No. If my friend will permit me, I read the letter head—

Mr. TILLMAN. And I—

Mr. SPOONER. Which is "Davis & Weeks," and I said Davis is the partner of Weeks.

Mr. TILLMAN. You are going to read from him?

Mr. SPOONER. I am not going to read from him.

Mr. TILLMAN. You read from Weeks's letter a moment ago?

Mr. SPOONER. I am going to read from Weeks's letter now.

Mr. TILLMAN. I must have misunderstood the Senator, because I understood him to say this was from the mayor, and he had previously stated that Weeks is the partner of the mayor.

Mr. SPOONER. Now, Mr. President, I will correct that by saying, for the information of the Senator, that Weeks is a partner of the mayor. [Laughter.]

Mr. TILLMAN. The Senator is not going to quote the mayor now. He is going to quote Weeks now.

Mr. SPOONER. Weeks.

Mr. TILLMAN. All right. We will hear from Mr. Weeks.

Mr. SPOONER. The firm is Davis & Weeks. Davis is the mayor and Weeks is the man who wants this office.

Mr. TILLMAN. So we understood. Has the Senator a letter from the mayor?

Mr. SPOONER. I will talk about the mayor in a minute, if the Senator wants me to.

This letter is dated "Indianola, Miss., December 19, 1902." It is a funny letter from my standpoint:

His Excellency President THEODORE ROOSEVELT, Washington, D. C.

\* ESTEEMED SIR: I hope you will bear with me, but as the time draws near for Mrs. Minnie M. Cox's resignation to take effect—

Fixed by the mass meeting—

as postmistress at this place, I am anxious about the matter, as I want the office. I know that I am the only good friend your Administration has here among the white people, and I feel sure that if you will investigate the matter you will be sure to appoint me. I conscientiously think—

He is a man of ability. The letter shows that—

I conscientiously think that the Republican party is the party for the farmers of the country—

[Laughter.]

and I further think that when that party is in power, these who are Republicans should hold the offices, but I will frankly say that, should I not get the appointment, I will still be a good Republican and will feel unkind toward no one. I hope that you will give this matter your kind consideration, and give me the appointment. With great respect, I am,

Yours, very obediently,

A. B. WEEKS.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Certainly.

Mr. TILLMAN. I thought the Senator from Wisconsin said a moment ago, on his own responsibility, that this is a sound-money Democrat. How could he say that when he had the confession of the man or the statement or the claim that he is a Republican?

Mr. SPOONER. I have known sound-money Democrats who got to be Republicans.

Mr. TILLMAN. Undoubtedly.

Mr. SPOONER. Now, Mr. President, here is a letter from J. L. Davis, the mayor, dated the eleventh month, 29, 1902.

Mr. McLAURIN of Mississippi. I did not catch that. As I have never myself had an opportunity to see these letters, although I requested permission to see them, I would be glad if the Senator would read that, so that I can catch the date.

Mr. SPOONER. The eleventh month, twenty-ninth day, the year of our Lord 1902.

Mr. McLAURIN of Mississippi. Thank you.  
Mr. SPOONER. It is as follows:

INDIANOLA, MISS., November 23, 1902.

HON. CHARLES FITZGERALD,  
Post-Office Inspector, Jackson, Miss.

DEAR SIR: I acknowledge receipt of your letter of the 23d, and in reply will say that I know of no parties, citizens or others, who "have banded together and intimidated Minnie M. Cox."

This is quoted, I suppose, from Fitzgerald's letter to him—to resign to take effect the 1st of January, 1903. I have been informed that there is a sentiment in the community that a change should be made in the post-office management, and that when this fact became known to Minnie M. Cox she, through her husband, offered to tender her resignation to take effect on January 1, 1903. I have never seen any paper purporting to be her resignation, or an offer to resign, and do not know of my own knowledge that such a proposition was made by her or her husband, but my impression is that she made the proposition to anticipate any action of the citizens looking to her resignation and without any special pressure or request from the citizens of the town. I will say further, in this connection, that it meets the wishes and approval of a vast majority of the citizens and patrons of the office that she resign, as I understand that she has agreed to do.

Minnie M. Cox has been postmistress here under the Harrison, McKinley, and Roosevelt Administrations, and the white people of the town and community have heretofore given her their support, have made her bonds, etc., but for various reasons they think the time has come when a change would be preferable; at least, that is the idea I gather from my contact with the citizens of the town and patrons of the office generally.

Considering the fact that fully five-sixths of the mail handled by the post-office at this place is sent and received by the white patrons of the office, it strikes me that the people have acted in a very exemplary manner to this time; and considering the further fact that she has acted as postmistress for years, and that she as postmistress and her husband as mail clerk have made money, and are now in easy circumstances, and that she finds the people and patrons generally desire a change in the administration, it seems to me that it is the part of wisdom on her part and the best way out of any unpleasant outcome of the matter for her to resign, as it seems that she has agreed to do.

I have freely expressed myself to you, not that I know the matters suggested herein to be facts, but that because I, as mayor of Indianola, very much prefer to have no unpleasant affairs to deal with, and because of the further fact that I think her resignation is desired by nearly every patron of the office.

Very truly, yours,

J. L. DAVIS, Mayor.

No man can read that letter without seeing clearly in it by implication, Mr. President—it need not be sought, it need not be looked for—the opinion of the mayor that if she did not resign there would be an *unpleasant situation for the mayor to deal with*. What would the mayor, as mayor, have to do with the post-office, with the resignation of this woman? He might be invoked in case of *unpleasantness*. What sort of "unpleasantness" could the mayor have on his hands in that connection unless it be lawlessness? And that letter confirms clearly to my mind, Mr. President, the statement of the inspector that the mayor told him that if this woman did not resign from the office he could not be answerable for her safety.

I read an extract from the report by the inspector.

JANUARY 6, 1903.

He is a fearless man, and I do not think his honesty is challenged.

While I was treated with the utmost courtesy by the people last Sunday when I returned to Indianola—

Mr. COCKRELL. From what is the Senator reading?

Mr. SPOONER. I am reading from the report of the inspector, Mr. Fitzgerald.

While I was treated with the utmost courtesy by the people last Sunday when I returned to Indianola, yet I had an experience that I have not been able to understand. I got to Indianola at dark Sunday evening and went direct to the hotel, where I had been but a short time when I was called to the telephone. I did not recognize the voice of my caller, who said he was A. B. Weeks (brother-in-law of Mayor Davis and candidate for postmaster).

He said: "Mr. Fitzgerald, if you have trouble here to-night and need a friend, call on me." I thanked the speaker and assured him I apprehended no trouble. Later Sheriff Cox called me over the 'phone and invited me to come to his house, as he wanted to see me. I thought this a remarkable request, especially when the trip would involve a lonely walk of half a mile in the dark. Cox asked me if he could send a conveyance for me, and I replied, "No, I thank you; I will walk."

While engaged in the conversation at the 'phone a gentleman came in the room and asked of me, "Is this Mr. Fitzgerald?" saying, "My name is Richardson," editor of a local paper, and reminding me of a previous meeting at the home of a mutual friend in this city (Vicksburg) last summer. He says, "I heard from your conversation just now at the 'phone that you are going out to the sheriff's," and expressed a desire to accompany me and talk to me, to which I assented. We reached Cox's home and were met at the door by Cox, who showed some surprise at Richardson's presence, not, however, by word so much as manner.

We were ushered into a room where we found awaiting us Mayor Davis and his brother-in-law, A. B. Weeks, who earlier in the evening offered his aid in case of trouble. After entering the room an awkward silence followed, which was finally broken by the sheriff, who said: "To get down to business, Mr. Fitzgerald, the statement of our post-office troubles sent out from Washington quotes you as saying that the sheriff and the mayor advised you that if the postmistress continued in office after January 1 they could not be answerable for her personal safety. Did you make this statement in your report?"

I promptly replied, "Yes, sir; I made that statement, and correctly quoted you and Mr. Davis, as each of you most assuredly gave me that information." I turned to the mayor and repeated this assertion and ceased speaking. Another period of silence followed, which was broken by the sheriff, who admitted that I had correctly reported him, whereupon I turned to the mayor and said pleasantly, but firmly, "And you, too, Mr. Davis." Throughout the interview Davis never once affirmed or denied my claim of having quoted him correctly. After this there was a brief exchange of pleasant words, and I bowed myself out of the room, accompanied by Mr. Richardson, who proposed to walk back to the hotel with me.

Mr. President, I hope I am not biased about this matter. I wish there was no question of color involved in it, because what stirs me about it, and it would just as much stir me wherever it happened, is the principle which is involved in it. It is not the matter of mere justice to this postmistress, but it is the right of the Government of the United States, acting within its constitutional jurisdiction, to execute its laws and administer its affairs through agencies of its own everywhere throughout its jurisdiction and where its flag floats without obstruction and without local duress applied to its officials.

The President of the United States, as clearly informed as ever a man was informed of anything by the papers that this woman, who had made a good official, having yet a year to serve, did not desire to resign, but had been forced to resign, had to answer to himself and to his oath this question: Shall I leave a lawless element in that community to force an agent of the United States to resign, to interrupt her in the discharge of purely Federal functions, or shall I refuse to accept her resignation, maintain there the post-office, the property of the United States, keep on the rolls this competent postmistress, and as they have closed that post-office allow it to remain closed until the law-abiding element of Indianola will permit this agent of the United States to discharge the functions of the United States in their midst?

I thank God that the President of the United States saw his way clear, Mr. President, and I hope it will not be dimmed in any future case, to maintain the right of the Government of the United States to maintain its functions within the States by agencies chosen by the President and the Senate, not by local "mass meetings." If any other rule than that should prevail, if the President departed in this instance from the high principle which in the interest of all of us should be observed, what would be the result; where would it stop? If it is permitted to succeed in this case, it will in others. If it may be done in the South, it may in the North. Every successful impairment of the national faculties breeds others. There is but one safe way, and that is to permit not one to succeed. I know the President will be as insistent as anyone who has ever occupied the office that officials shall discharge with courtesy, with propriety, with fidelity the duties of their respective offices.

I know he will listen with keen interest to complaints coming from localities as to the fitness and efficiency of Government appointees. But where the records of the Government show that through nine years an official has been a faithful and efficient agent, courteous, kindly, often commended, with no official criticism upon her, with no local complaint of her registered, and that she has been forced by a community to resign, I hope the President will not accept the resignation; and if that leads to closing the post-office, if that leads to a deprivation of a locality of postal facilities, that they may undergo that inconvenience until the people regain their sense of law and of what is due to the National Government, and notify the authorities that they will protect this Federal agent in the discharge of Federal duties.

Mr. President, this question has been settled, and it ought never to be permitted by any President of the United States to be in the slightest degree unsettled. The war was fought on that principle. The technical ground upon which the war was carried on was the right of the Federal Government to enforce its laws and to protect its property and to carry on governmental business all over the United States, and without the consent of States as organized sovereignties or of localities. It was in support of that principle that our armies in the civil war were organized, that the battles of that war were fought. It was upon that principle that General Dix issued his order which thrilled the country, applying to a flag floating above a ship belonging to the United States, "If anyone attempts to haul down the American flag, shoot him on the spot." It is the law which the Supreme Court of the United States, quoting from Chief Justice Marshall—essential to the perpetuity and virility of government—applied in the Debs case, and that is the law applicable in this case, 158 U. S., 568.

The court say, quoting, with approval, from Chief Justice Marshall:

No trace is to be found in the Constitution of an intention to create a dependence of the Government of the Union on those of the States for the execution of the great powers assigned to it. Its means are adequate to its ends, and on those means alone was it expected to rely for the accomplishment of its ends.

To impose on it the necessity of resorting to means which it can not control, which another government may furnish or withhold, would render its course precarious, the result of its measures uncertain, and create dependence on other governments, which might disappoint its most important designs, and is incompatible with the language of the Constitution. (McCulloch v. Maryland, 17 U. S.)

We hold it to be an incontrovertible principle that the Government of the United States may, by means of physical force exercised through its official agents, execute on every foot of American soil the powers and functions which belong to it.

This is vital, and if the Government is not dependent upon the consent of States to the exercise of governmental functions, how



much less is it dependent upon the consent of the people of towns, villages, and cities?

Is it to be admitted for a moment or permitted for a moment that the people of a village or city may close a post-office established and officered under the Constitution and laws of the United States by forcing the agent of the Government to quit because they do not like that agent? Is the conduct of a post-office by the General Government to be made to depend upon the approval by the patrons of the agent chosen by the Government?

May the choice of a postmaster or a marshal or district attorney be taken practically from the President and the Senate and made to depend upon the dictation of the people of a locality? And if one postmaster, chosen by the President and Senate, may be forced to quit and a successor appointed, why may not one successor after another be forced to resign until one *satisfactory to the locality* shall have been chosen?

And then who, in fact, will have appointed the official?

The Federal agent must be appointed by the constitutional methods, and obstructions in any way in the discharge of Federal functions by localities can not be permitted.

This principle, so essential to the existence and efficiency of the National Government, has cost too much of life and blood and treasure and is too well seated to render tolerable any violations of it anywhere for a moment.

Here is a post-office. Under the Constitution Congress establishes post-offices and post-roads. The sign of the sovereignty of the Federal Government in Indianola is the post-office. That is the one place, Mr. President, where the flag of the United States has a right to float as testimony that it is in possession of the United States and subject alone to its jurisdiction; and if the agencies of the United States are to be carried on or obstructed in a State at the wish, caprice, whim, or because of hatred or excitement of individuals or masses, what becomes of the Government as a government of power and a government of law? What becomes of the President sworn to support the Constitution of the United States and to take care that the laws be faithfully executed?

Now, that is the principle which underlies this case. I am sorry the trouble occurred. I hope and believe that if it were to be done again it would not occur; but I hope the President of the United States will not accept the resignation of Mrs. Cox. I hope he will leave the situation there where the people leave it—with a post-office and an agent of the United States ready and willing to discharge the duties of postmaster or postmistress—until the people of that community give their assurance that that agent of the United States shall be protected from themselves.

The President, I suppose, would have the right to protect that postmistress in the discharge of her duties. I do not think he is called upon to do that thing in order to force upon the people of a community facilities which primarily, perhaps, are created and afforded for their convenience.

That is all I want to say about the Indianola case at this time, Mr. President. I should like to pursue it, but there is not time. I justify absolutely the Postmaster-General and the President in the action which has been taken.

Mr. McLAURIN of Mississippi. Mr. President, on the 15th of this month I took occasion in this body, not to assail the President or the Postmaster-General for closing a post-office in the State of Mississippi, at a county town, where some fifteen hundred or two thousand people live, a prosperous community, a law-abiding people, but to refute a charge that had been made by the President's secretary, and stated to be for the President, that the people of that town were a lawless and brutal element. I did not discuss the propriety or the impropriety of the President's action in closing the post-office, for it is the President's action and not the action of the Postmaster-General. I did not feel called upon to discuss it, because I did not feel that its discussion was necessary to a vindication of the people of that community, who are my constituents.

I stated at that time, however, in response to a question from the Senator from Wisconsin [Mr. SPOONER] that if it was desired to pursue the indictment made by the President's secretary for the President against that community I should always be ready, in my humble way, to respond to it. There is nothing I have said that could have elicited the arraignment of the people of that community, and virtually of the people of the entire State of Mississippi, by the Senator from Wisconsin.

I read an extract which was exceedingly objectionable to me, because it was on the people of Indianola and of the entire State. Then I read the evidence in my possession to refute that.

I had not had access, as the Senator has had, to the correspondence of the President and the Postmaster-General. The people of Indianola have not had access to it. They could not tell upon what the charges that had been made against them were predicated. They could only tell, and I could only tell, that a statement had gone out to the people of the United States and to

the people of the world, with all the force and effect of the utterance of the private secretary of the President of the United States, making charges against those people. And to-day for the first time I have heard some of the evidence read upon which the charge against those people was made and upon which the office at Indianola was abolished.

Now, I propose in my plain and simple way to present to the Senate the case of those people and the people of Mississippi, because the entire State sympathizes with those people. While "I am no orator, as Brutus is," I feel that the mere statement of facts, without any declamation and without any oratory, is sufficient to justify those people in their indignation. It is not against the President, because the people of that community as a rule believe that the President has been misinformed, that he has acted hastily and upon impulse in this matter, but against those who have given him information upon which to predicate any such charge. Mark you, there has not been an iota of testimony, an iota of information contained in anything said by the Senator from Wisconsin, upon which it can be charged with any degree of fairness or with any degree of justice that the people of Indianola have, or that any single individual among the people of Indianola has, made any threat of violence or any other threat against the postmaster.

There is nothing to show that there is not the best of feeling between the people of Indianola and the postmaster, taking into consideration the racial distinction between them. That they do not want a colored postmaster there I admit and they admit. That they have their race prejudice they admit and I admit. That it is a race prejudice which exists all over the South there can be no denial; aye, that it exists all over the North, all over this country, there can be no denial. There may be some few isolated cases here and there where the race prejudice does not exist, but in every section of this country, I do not care in what section, the feeling of race prejudice does exist.

The Senator has said that he does not intend to discuss the race question or the race problem. This matter can not be presented to the Senate without discussing it. It is involved at the very threshold of this discussion. Because of the racial distinction, because of the fact that the white people of that community and the white people of Mississippi do not want negro postmasters appointed to give them out their mail, arises this trouble, not from any lawlessness on the part of those people. They have gone about the attempt to rid themselves of this disagreeable situation in a lawful manner. They have done what they thought they had a right to do, and what they feel now and what they ever will feel they have a right to do. They have petitioned a portion of the Government for the redress of what they conceive to be their grievances, a right that is not only a natural right, but a right that we are guaranteed shall never be abridged by any act of the Congress of the United States. We are assured of that by the Constitution.

There has been no lawless act. There is nothing that has been shown here by the President, by the Senator from Wisconsin, by the inspector, or by any evidence the Senator has read to show that there has been a single lawless act by anybody. It is true that some man who had gone over to the Republican party and now extols the principles and policies of that party had applied for this office, and the Senator created some levity by reading a letter of that man, not a member of my party, according to his own confession and his own statement, but a member of the Senator's party, who is seeking to get office under the present Administration, and, as he claims, and I suppose justly, extols the present Administration because he thinks that the adulation of the Administration is the best means of conducting him into office.

Now, let us get at the very threshold of this business. The secretary of the President says that—

The postmaster recently forwarded her resignation to take effect on January 1, but the report of the inspectors and information received from various reputable white citizens of the town and neighborhood show that the resignation was forced by a brutal and lawless element purely upon the ground of her color, and was obtained under terror of threats of physical violence.

This is the indictment he proposes to prosecute. This is the indictment to a prosecution upon which I said I wanted to respond, and would respond, if the Senator from Wisconsin [Mr. SPOONER] desired to prosecute it. The charge is not a moral duress, but that her resignation was forced by reason of threats of terror of violence.

I have never heard it said in the Senate Chamber before, and I had never thought that it would come to the point where it would be proclaimed by a Senator from his seat in the Senate Chamber of the United States, that the people have no right to lawfully assemble and peaceably petition for a redress of their grievances.

They say, too, that it gives this woman to understand she was not wanted in this office. That was just exactly the motive they had in presenting the petition to her, or at least if they had ever

presented the petition to her, the motive they had in doing so would have been to show that she was not wanted there. It does not make any difference whether it was because of her color, or from whatever cause. The fact is, the people of that community did not want her there, and they had a right to say so, and they had a right to say it to her. They had a right to say it to the President of the United States. They were not confined in their right to say it to anybody, and they were preparing to say it to her when she sent in her resignation.

She had been there on friendly terms with our people. Their relations had been friendly, as that of a negro postmaster with a lot of white people who had prejudices on account of their race. The negroes have their race prejudices as well as we do. They stand by the negro and we stand by the white man, when it comes to a contest between the negro and the white man.

They presented the petition to her, or were prepared to present the petition to her, and not to the President of the United States. It was their privilege to present it to her first, and see if she would resign without any charge being brought against her before the Post-Office Department, and if she did not resign, and if they thought proper to do so, they would present it to the President of the United States. That was a matter within their discretion. That was a right which they had, and they went about it in a peaceable way.

As I have said, I never expected to hear it stated in the Senate of the United States that the people did not have a right to peaceably assemble and consult about their business affairs in a lawful way. I remember meeting last year a man from Kentucky who alleged that the assassin of Goebel was justified in assassinating him because he had contested the election of his opponent in the election the previous year; that Goebel had no right to contest it. I remember, when I put the proposition to him that Goebel was acting according to the laws of the State of Kentucky in a peaceable and lawful way to contest his right as any other litigant would do, he contended that he had no legal or moral right to present his case to the legislature of the State of Kentucky that they might decide it.

I was astonished that a man should make such a proposition as that. But it did not astonish me as it does that the proposition shall be made in the Senate of the United States, by a learned Senator—than whom there is no better lawyer, than whom there is no abler Senator in this Chamber—that any people in this country, when they from any cause desire the removal of a postmaster or any other official, have no right to present their petition to her or to hold a mass meeting to see whether they can have a consensus of opinion in the steps they were about to take, and lawful steps at that, to procure her removal.

I remember this question of the right of petition in a case which came up from the State of Louisiana (*United States v. Cruikshank*, U. S. Reports, vol. 92, pp. 552 and 553). Chief Justice Waite delivered the opinion of the court on the question. He said:

The right of the people peaceably to assemble for the purpose of petitioning Congress for a redress of grievances, or for anything else connected with the powers or the duties of the National Government, is an attribute of national citizenship, and, as such, under the protection of and guaranteed by the United States. The very idea of a government, republican in form, implies a right on the part of its citizens to meet peaceably for consultation in respect to public affairs and to petition for a redress of grievances.

Mark you, to meet peaceably for consultation in respect to public affairs. Did these people do anything else? Has there been any pretense by anybody, by the report of the inspector, by the letter that has been read, by anything that has been said by the Senator from Wisconsin or by the President of the United States or the Postmaster-General, that these people did not meet peaceably for consultation in respect to public affairs? Is not the office where they get their mail a matter of public affairs to them? And yet it is pretended that if they do that they are outraging a postmaster whom they do not want in the post-office; that they are bringing to bear duress upon her; that it is a strong man against a woman. It is the community who asked for the resignation, and it was given voluntarily and freely, without any compulsion and without any duress from anybody, and there is no pretense of anything done that can be tortured into duress.

I know that Senators can rise upon this floor, make inflammatory speeches, and denounce the people of any community. When they denounce the people of the community of Indianola they denounce the entire people of the State of Mississippi, for all the people of Mississippi have the same views on this question. I know that Senators can predicate their charges upon facts that are not in existence, and of which there is not the least scintilla of evidence, but they can not change the right of every American community—even the people of Mississippi—to meet peaceably for consultation in respect to public affairs, even if the public affairs concern the post-office and postmaster at Indianola, Miss. The court proceeds:

If it had been alleged in these counts that the object of the defendants was to prevent a meeting for such a purpose, the case would have been within

the statute and within the scope of the sovereignty of the United States. Such, however, is not the case. The offense, as stated in the indictment, will be made out if it be shown that the object of the conspiracy was to prevent a meeting for any lawful purpose whatever.

It would be an offense to undertake to prevent the people of any community in these States from meeting peaceably for consultation about their public affairs; and that is all the people of Indianola have done.

Now, because they did that, and because they appointed a committee of three persons to draw up a petition addressed to the postmaster asking her to resign, and a respectful petition it was, they are denounced as a lawless, brutal element.

I want to call the attention of the Senate to one thing as I go along, as a fact, so that it can be appreciated. About 75 per cent of the people of Indianola are negroes and 25 per cent white people. About 90 per cent of the taxes paid are paid by white people and about 10 per cent by negroes. About five-sixths of the mail of that office is mail of white people. I want to get that fact before the Senate so that Senators may see the pertinency and reasonableness of the petition. It is a petition gotten up, never presented, but intended to have been presented.

Here it is; I will read it:

INDIANOLA, MISS., September 19, 1902.

To M. M. Cox, Postmistress of Indianola, Miss.:

We, the undersigned, hereby request that you tender your resignation as postmistress of the Indianola office, to take effect on the 1st day of November, 1902.

This is a copy, certified to by the clerk:

STATE OF MISSISSIPPI, Sunflower County:

I, W. P. Gresham, chance-y clerk and ex officio notary public in and for the county and State aforesaid, certify that the foregoing petition, or request, is a true and correct copy of the petition, or request, prepared on the day and date written and signed on the day and date above named, for the purpose of presenting to the postmaster at this place, asking for her resignation.

Witness my signature this the 21st day of January, A. D. 1903.

[SEAL.]

W. P. GRESHAM,  
Chancery Clerk.

STATE OF MISSISSIPPI, Sunflower County:

I, W. D. Watts, circuit clerk and ex officio notary public in and for the county and State aforesaid, hereby certify that W. P. Gresham, who has certified to the correctness of the petition to which this certificate is attached, is the chancery clerk and ex officio notary public in and for the county and State aforesaid.

Witness my hand and seal of office this the 21st day of January, A. D. 1903.

[SEAL.]

W. D. WATTS,  
Circuit Clerk.

That is the gravamen of the offense. This petition was prepared, but never presented to Minnie Cox. It was prepared for presentation to her.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from South Carolina?

Mr. McLAURIN of Mississippi. Certainly.

Mr. TILLMAN. How many signatures are attached to that petition?

Mr. McLAURIN of Mississippi. There are 49 to this one. There were probably some other petitions, but there are only 49 signatures to this one.

As I was going to say a while ago, which escaped my attention just then, 75 per cent of the population are negroes. The town has some 1,500 or 2,000 inhabitants in it. I think there are 85 white people. On the first day of the mass meeting there were 53 white men in the meeting; at the second meeting there were 85. My information is that every single, solitary man in the town was in the second meeting, except perhaps Mr. A. B. Weeks, who has gone over to the Republican party for the purpose of getting the office, like most of the men of the South who are in the Republican party have done. [Laughter.]

Mr. CLAY. In Mississippi?

Mr. McLAURIN of Mississippi. Yes, sir; and I suppose in Georgia.

Now, at this first meeting this committee was appointed to get signatures to the petition to be presented to Minnie Cox before the next meeting. Before it ever was presented to her and before there was ever any communication with her by any man authorized to speak for that mass meeting her husband presented to Mr. Chapman the resignation of Minnie Cox, to be tendered and read to the mass meeting, just one week after the first mass meeting.

Now, there has been a great deal said by the Senator from Wisconsin about her tendering the resignation to the mass meeting instead of tendering it to the President of the United States. Surely the people of Indianola are not responsible for that, and I am not responsible for it. She selected the people to whom she would present the resignation. It was a matter of her own choice. These people did not want her and she knew it. The negotiations were between her and them, and she asked that they make it the 1st day of January, 1903, instead of the 1st day of November, 1902.



In this connection I will read the affidavit of P. C. Chapman and statements of others. It is as follows:

STATE OF MISSISSIPPI,  
Sunflower County, Town of Indianola;

This day personally appeared before me, W. P. Gresham, clerk of the chancery court in and for the county and State aforesaid, P. C. Chapman, who, being sworn, says that he has been a citizen of the town of Indianola and county of Sunflower since October, 1887. That he is personally acquainted with each and every man in the town of Indianola. That to the best of his knowledge, information, and belief that no person in the county of Sunflower or in the town of Indianola has ever demanded the resignation of Minnie Cox as postmaster at this place, and affiant further states that no committee, either in person or by petition presented to the said Minnie Cox, ever requested her resignation as postmaster of Indianola office; would further state that no force, threats, or intimidating methods were used by the people of Indianola against the said Minnie Cox in forcing her resignation as postmaster. Affiant further states of his own personal knowledge that Wayne Cox came in person to affiant's office on the evening of the meeting of the citizens held that night and stated that he had learned that a petition requesting the resignation of Minnie Cox as postmaster at Indianola was being circulated; that he desired that this resignation should be read to the people that night, for the reason that he had been a citizen of this community for years and he was not willing for his wife, Minnie Cox, to hold the office after he had learned that a majority of the citizens desired her resignation. Affiant would further state that the said Wayne Cox handed to him the resignation of his wife, Minnie Cox, which was read at said meeting.

Affiant would further state that from his best knowledge, information, and belief that this resignation was tendered voluntarily and without any fear or threat or intimidation, as she voluntarily notified the people of Indianola in a public assembly that since it was the wish of the people that she should no longer hold the position of postmaster, that she would tender her resignation, to take effect on the 1st day of January, A. D. 1903.

P. C. CHAPMAN.

Sworn to and subscribed before me this 21st day of January, A. D. 1903.  
[SEAL.] W. P. GRESHAM, Chancery Clerk.

I heartily indorse the above statement by Hon. P. C. Chapman in full as the whole truth.

J. W. WELCH, County Treasurer.

Substantiated by—  
[SEAL.] W. D. WATTS, Circuit Clerk.

We indorse the above statement made by P. C. Chapman as a true statement of the facts.

W. T. Pitts, cashier Bank of Indianola; J. L. Davis, mayor; A. E. Andersen, jr., ex-sheriff; A. C. Cox, sheriff; R. P. Miller, ex-sheriff; W. E. Chapman, editor and notary; D. M. Quinn, county superintendent of education; W. P. Gresham, chancery clerk; C. P. Adair, editor Sunflower Penser.

It is said that that very request from her indicates that she did this under duress, because why should she ask them to make it the 1st day of January instead of the 1st day of November, 1902? It is the most simple thing in the world. She was negotiating with them. She wanted to settle the affairs of her office. She did not want to hold it in opposition to the wishes of the white people of Indianola, the people who get their mail there, and she wanted to agree upon a time that would be satisfactory to them as well as to her, because she did not want to hold it in opposition to their wishes. She wanted to consult them with reference to the time when it was satisfactory to them for her resignation to take effect.

I now read the affidavit of D. M. Quinn:

Personally appeared before me, W. D. Watts, clerk of the circuit court of the county of Sunflower and State of Mississippi, D. M. Quinn, who, after having been duly sworn, makes the following statement under oath, to wit: That he was present at the two meetings of citizens of Indianola in said county, held at the court-house during the month of September, 1902; that said meetings were orderly and composed of the best law-abiding citizens of said town, and that neither of said meetings took any action demanding the resignation of Minnie Cox, the postmistress of said town, or to intimidate her in any way; said meetings took no action relative to the resignation of Minnie Cox except to carry by an affirmative vote a motion requesting that she resign the office of postmistress; that a petition was circulated among the citizens of the town, which contained a request that the postmistress resign, but states further to the best of his knowledge and belief that said petition was never presented to either Minnie Cox, the postmistress, or her husband, and no one was authorized by either of said meetings to carry any request to the postmistress or in any way make known to her the wishes of said meeting that she resign the office. He further states on information and belief that the postmistress resigned for the reason that she became aware of the fact that a majority of the patrons of the office desired her to do so, and not by reason of any threats of violence or intimidation from any source.

D. M. QUINN.

Sworn to and subscribed before me this 21st day of January, A. D. 1903.  
[SEAL.] W. D. WATTS,

Clerk of the Circuit Court of said County.

There was a treaty between Great Britain and this country, and an extra session of the Senate was called for its consideration. In that treaty I suppose many propositions and counter propositions were made between the Secretary of State of the United States and the premier of Great Britain. It could not be said that because one made a proposition to the other and asked that such and such be done he was doing it under duress, or that the other who accepted it was accepting it under duress.

There is no doubt and no denial of the proposition that Indianola wanted Minnie Cox out of the office because of her color. They did not want to resort, and did not resort, to any illegal means or any violent means to get her out, but they resorted to that peaceable means which they thought would be effective to get her out.

As I said, the race distinction exists. There can not be any denial of that. It exists all over this country. Many years ago, more than a century ago, the people of this country, commencing

in the North—in New England—went to Africa and brought here from barbarism and from cannibalism an inferior race of people. That race of people have lived here ever since. Our people have regarded them all over the country as an inferior race of people. It does not follow, however, as is charged by the Senator from Wisconsin, that there is any hate between the white people and negroes. There certainly is not in our section of the country. In the State of Mississippi there certainly is none. So the Senator is mistaken—

Mr. SPOONER. I did not say that.

Mr. McLAURIN of Mississippi. The Senator referred to the hate of those people against the colored race.

Mr. SPOONER. I was speaking generally. I did not refer to any particular locality in the United States.

Mr. McLAURIN of Mississippi. Now, the colored people, as I said, were elevated from a condition of barbarism and cannibalism to a condition of slavery. They were an inferior race. It was a blessing to the negro race and a curse to the white race in the United States.

There is the friendliest feeling existing in the State of Mississippi between the negroes and the white people. Nevertheless, it is recognized there that they are an inferior race. It is recognized by the negro race themselves. All over this country men boast of having in their veins Scotch blood, Welsh blood, English blood, Irish blood, German blood, Italian blood, Spanish blood, French blood, Portuguese blood. Who ever heard of a man boasting that he had within his veins negro blood? This prejudice, I do not mean ill feeling, but race distinction, exists in the Senator's section as it does in my section. It exists in the Senator's State as well as it does in my State. I do not say that there is any ill feeling, but race distinction. We want to build up the negro. We send him to school in the State of Mississippi.

I venture the assertion that in no other State, especially in no State in the North, are as many negro children sent to the common schools of the State, supported from a common fund appropriated out of the State treasury, as are sent in the State of Mississippi to our common schools, supported by appropriations from our State treasury. We send 25 per cent more colored children to our schools than we do white children. We send them the same length of time that we do our white children. We support a college in our State for the higher education of the negroes, both male and female. Nevertheless it does not follow that there is anybody there who believes that the white race is not superior to the negro race. It is not a condition of our making. It is a condition that came down to us from the plastic hand of the Almighty himself and has existed ever since, and it is likely to exist as long as time shall last. It is a condition, as I have said, for which we are not responsible.

I say to the Senator who prosecutes this charge against the people of Indianola—because it is against the entire people of Indianola—that the entire people of Indianola have been guilty of trying to get this woman out of office peaceably and not unlawfully. Not only so, but the entire people of Mississippi sympathize with them in it, as one labor union strikes in sympathy with another labor union. The same condition exists all over the State. Indianola is not a peculiar, isolated section of the State which has a race distinction which does not exist anywhere else. It exists all over the State.

Now, let us test the matter of the fairness of the Senator. I have said the President was misinformed, and I repeat he was misinformed. It seems that the President has only talked with those of one side, and shuts his ears to anything on the other side. The President decided this matter without allowing the people of Indianola any hearing. "He never asked for anything from them. There was not a single, solitary citizen of Indianola consulted about this matter. He said to the people, 'You must have your office closed because you are forcing this woman to resign.' There was not any opportunity to the people there to defend themselves against any charge made. On the contrary, on an ex parte hearing the President took his action. I believe the Senator from Wisconsin stated that he has not read all the correspondence between the President and his advisers. We are not yet advised of what we are called upon to answer; but from a one-sided statement by somebody, or bodies, the President suspended that office.

There is evidence which has been in the possession of the President of the United States, and which had not been presented to this body, which was read for the first time by the Senator from Wisconsin. So that, whatever that evidence may be, we know nothing about it, the people of Indianola know nothing about it, and we have no opportunity to defend ourselves against it or to deny it.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Tennessee?

Mr. McLAURIN of Mississippi. Certainly.

Mr. CARMACK. I ask the Senator from Mississippi if I correctly understood him to say that he was denied the right to read the documents presented here by the Senator from Wisconsin?

Mr. McLAURIN of Mississippi. When I received a letter from Mr. Chapman, which I read to the Senate on the 15th of this month in my former statement, I went to the Postmaster-General, read to him that letter, and asked him for a copy of the correspondence. I was told that that was never allowed, but that sometimes correspondence of that kind was read to those who desired to hear it, and that, under those circumstances, I must go to the President for permission to see it.

I went to the President, and I presented the request to him for a copy of the correspondence in obedience to the desire expressed by Mr. Chapman in his letter to me. I read the entire letter to the President and to the Postmaster-General. I was informed by the President and informed by the Postmaster-General that part of the correspondence was addressed to the President and not to the Postmaster-General. That correspondence I was not shown. I requested a copy of that correspondence. It was not shown to me, but the President wrote a card to the Postmaster-General, authorizing him, if he saw proper—I am not sure now whether it was to allow me to read the correspondence or to show it to me.

I carried that card to the Postmaster-General, and he read to me part of the report of the post-office inspector. I thought at the time, when I made the statement a while ago, that it was his first report, but my recollection now, after hearing the Senator from Wisconsin read it, is that it was the second report. I think it was the same report which was read here by the Senator from Wisconsin.

The Postmaster-General read to me also a letter of Mr. Humphreys, the member-elect to the House of Representatives from that district. My recollection now is that nothing else was shown me. My request was to see all the correspondence addressed to the President and to the Postmaster-General, so that I might know upon what was predicated the abolition of this office. The office may not have been abolished, as the Senator says, but it may as well be abolished for all the good it is doing the people of Indianola. They are getting no benefit whatever from it.

I did not get to see the letter from Mr. Davis. I was told that Mr. Davis had stated in writing that he would not guarantee the personal safety of the postmaster if she should return to take charge of the office. I challenge the reading of that letter, which is claimed to bear that construction. This is the first time I have ever heard it read. It was read as part of the testimony by the Senator from Wisconsin, but I challenge the reading of that letter to show that there is anything in it showing that Mr. Davis denied that the postmaster would be perfectly safe in returning to Indianola and taking possession of the office.

I have a letter from the mayor of the town which I will read, but before I do that I want to ask in reference to this matter, How could it be that those people could refute what was said in those letters when their contents were not known to them; when they were not only not aware of them, but when they were denied the opportunity to see them or to have them read, except as extracts were read from them? There was no opportunity on the face of the earth to contradict the evidence upon which the charge was made against them that there was a brutal and lawless element there, who have by threats, terror, and violence forced the resignation of the postmaster. This charge is against the entire people there, because the alleged threat, as contended by the Senator, consisted of a peaceable meeting petitioning the postmaster to resign. Every threat that can be found is found in that action of that meeting, because that is all that was done. The people of Indianola have had no opportunity to answer; they have had no opportunity to see the charge. They do not know what has been said.

The action of the Vehmgerichte was not worse than is this action against the people of Indianola, except in the severity of the penalty. I have read that more than six hundred years ago there existed a society, called the "Vehmgerichte," that tried its accused not only in his absence, but in his ignorance of the fact that he was accused. They tried him without letting him know there was any charge preferred against him. They convicted him; then they carried him into a room, where he was called upon to kneel before a crucifix, and then by a trap-door process they dropped him 80 or 100 feet below on revolving spears and knives, where he was cut to pieces, and after that he was only known as "the forgotten."

Now, what worse was that than this charge against these people, except that in this case the Government did not take their lives when they found them guilty? They took away from them the prop which upholds their business, the prop which upholds their correspondence, the prop which gives them the opportunity to read the news of the world in the daily papers. They took away from them the daily press, and did it upon a charge of

which Indianola had no knowledge and which they were not even permitted to see.

When these people were denied post-office facilities, when the office was closed, this woman stayed there four or five days, walked the streets in perfect security and safety, and then went to visit relatives in Birmingham, Ala. Later she refused to go back and take charge of the office. No threat against her was made and can be found anywhere, unless it be in the fertile brain and imagination of the President, the Postmaster-General, and Senators, who find a threat in a peaceable assembly of a law-abiding community. I believe the Senator from Wisconsin did state that a majority of them were law-abiding people. In the assembly of this law-abiding people is found the threat of violence and of terror to this woman, so that she refused to go back and take charge of the post-office. The Administration refused to accept her resignation, and I suppose her pay goes on, though she refuses to perform the service.

Because the timorousness of this woman has prevailed upon her to refuse to go back and take charge of the office the people of Indianola are denied a postmaster—this timorousness, coupled with the refusal of the President to accept her resignation when it had been formally tendered.

Then what? The Post-Office Department ordered the mail to be forwarded where? To the nearest post-office? No; but they ordered it to be forwarded some 30 miles away—to Greenville.

Now, I want to read here what Mr. Justice Fuller, who now honors the office of Chief Justice of the United States, said in the case of *in re Rapier*:

This is true, but while the legitimate end of the exercise of the power in question is to furnish mail facilities for the people of the United States, it is also true that mail facilities are not required to be furnished for every purpose.

The part to which I wish to call attention in that extract is this:

The legitimate end of the exercise of the power in question is to furnish mail facilities for the people of the United States.

I have read the whole of it so that I can not be charged with having garbled it; I have read it from period to period.

The legitimate—

I call especial attention to this part of that sentence—

The legitimate end of the exercise of the power in question is to furnish mail facilities for the people of the United States.

I take it that means all the people of the United States and all of the United States.

Now, what? Suppose there had been some lawless persons in the town of Indianola who had made threats against the postmaster—I will say a lawless person, for that matter—and that the postmaster was driven out of office because of those threats; and suppose, as I said, the Senator from Wisconsin admits that most of the people are opposed to any such conduct, opposed to any such violence, opposed to any such threats, then what? Is it not right, is it not a duty of the sworn Executive of the United States and the Postmaster-General to furnish to those people the best postal facilities that can be furnished? Grant that it is the duty of the President of the United States to see that any officer of the United States is not intimidated; grant, for the sake of argument, that there was intimidation by some lawless man or men in small numbers in the town of Indianola, as is stated by the Senator from Wisconsin, and grant that his sense of duty impelled him, in order to see that such officers in the discharge of the functions of the Federal Government should not be driven out of that office, to close the office until the people there should be punished sufficiently to make them drive out those lawless men, whoever they were, what was his next duty?

His next sworn duty under the Constitution and laws of the United States was to give the people the next best facilities that they could have for their mail. Who denies or who will deny that? Will the Senator from Wisconsin deny it? Will any man in his senses deny it, whether he be a Senator, a Representative, or a private citizen of the United States?

It was the duty of the Government, through the courts, to enforce the law by the prosecution and conviction of anyone who unlawfully kept the postmaster from discharging her official duties, and to give mail facilities to all the people, but not to punish the innocent. The speech of the Senator, if his conclusions were admitted, shows that the innocent are being punished for what he says is the unlawful actions of a very few. The President is now punishing Indianola for making known in a peaceable, respectful, lawful way their desire for the change of an official. It is not a question, as claimed by the Senator, whether the President should sustain Federal officials in the discharge of their official duties; it is a question whether the people of any section of the country have the right to peaceably assemble and make known their wishes in respect to public affairs. That was all that was done in this instance. Nothing else can be found in the action of the people of Indianola by anyone unless it is a suspecting mind that attributes sinister motives to the most innocent act.



What did the President do? As I stated, he directed the mail to be sent to Greenville, 30 miles away. Four miles from there is Heathman. There is a railroad line, and only one railroad line, between Indianola and Greenville. It goes right by this office of Heathman, which, as I say, is only 4 miles from Indianola. A request was presented to the Postmaster-General to change this mail from Greenville to Heathman. While the laborer, the blacksmith, the shoemaker, the carpenter, the clerk, the lawyer, the doctor, the banker, the merchant, or anybody else engaged in business there, but especially the humbler citizens of the community, might not have an opportunity to go to Greenville oftener than once a week or even once a month, they could go over the 4 miles to Heathman and get their mail there.

But the answer to that letter was that the office at Heathman was not prepared with facilities for handling such a large mail as the mail of Indianola. Here is the letter of the Postmaster-General:

OFFICE OF THE POSTMASTER-GENERAL,  
Washington, D. C., January 15, 1903.

Hon. A. J. McLAURIN, *United States Senate.*

MY DEAR SENATOR: Replying to your request that the mail for Indianola, Miss., be forwarded to Heathman, Miss., instead of to Greenville, as is now being done, I beg to say that Heathman is a very small office, of the fourth class, the entire receipts of the office amounting to only \$115 last year. The office at Heathman is not in any manner equipped to handle such a large amount of mail as would be sent to it in the event your request was complied with.

Very truly yours,

H. C. PAYNE, *Postmaster-General.*

To that I answered—for I have the friendliest feeling toward the Postmaster-General, as I also have for the President of the United States, and they have both throughout this matter treated me with great courtesy, which I am now glad to acknowledge to the Senate and to the country—that I thought in considering this matter the Postmaster-General must have overlooked the letter which I read to him from the superintendent of education, Mr. Quinn. So I addressed this letter to the Postmaster-General:

UNITED STATES SENATE,  
Washington, D. C., January 16, 1903.

Hon. H. C. PAYNE, *Washington, D. C.*

DEAR GENERAL: Your letter of yesterday is received this morning, in reference to my request that the mail for Indianola, Miss., be forwarded to Heathman, Miss., instead of to Greenville, Miss., until such time as the Indianola post-office shall be reopened, if such time shall ever come. I thought this request so reasonable that there could be no hesitancy in granting it, as without any extra expense to the Government the mail that is now placed by the Government about 30 miles from the patrons could be thus put within 4 miles of them.

In your denial of the request you say, "The office at Heathman is not in any manner equipped to handle such a large amount of mail," etc. You will remember that I called your attention especially to this part of the letter written by Hon. D. M. Quinn, county superintendent of education, January 10, 1903, to wit: "Crawford, the postmaster at Heathman, has two clerks in his store there, and assured me on Thursday of this week that he could handle the mail for Indianola without inconvenience." I also called the attention of the President especially to the same thing. This must have been overlooked in determining that the mail can not be handled at Heathman.

The people of Indianola have employed a person, as I understand, to carry their mail to Heathman and post it there, and have directed their correspondents to address them at Heathman, so the post-office at Heathman will have this mail to handle. The only mail for Indianola that will not be handled at Heathman will be that small amount that may be addressed to Indianola by some persons who have not been acquainted with the situation, in which small amount may happen to be some very important correspondence of some humble person not in the least responsible for existing conditions, from miscarriage of which such person may greatly suffer. While I have not express authority to do so, I take the liberty in behalf of the people of Indianola to propose that whatever extra expense the Government incurs in changing the mail for Indianola from Greenville to Heathman will be paid by the people of Indianola. If this proposition meets your approval, I will submit it for ratification to the Indianola people.

Faithfully, etc.,

A. J. McLAURIN.

I received the following reply, which reiterates the statement made in the first instance, that they did not have the mail facilities:

OFFICE OF THE POSTMASTER-GENERAL,  
Washington, D. C., January 21, 1903.

Hon. A. J. McLAURIN,  
*United States Senate.*

MY DEAR SENATOR: Replying to your letter of the 16th instant, I beg to say that I have carefully investigated the propriety of forwarding mail addressed to Indianola, Miss., to the post-office at Heathman instead of to Greenville, as is now the case.

As I have previously stated to you, Heathman is a small fourth-class office, the entire receipts for the year being about \$100, and it is not in any manner equipped for handling mail to the amount which would be received in the event your request were complied with, and from the views of the practical post-office men in the Department it would not be desirable to carry out the plan you suggest.

Very truly yours,

H. C. PAYNE, *Postmaster-General.*

There can be no justification by anybody for the denial to the people of Indianola of the right to have their mail go to Heathman. The entire mail of Indianola practically does go to Heathman now. The Post-Office Department is compelled to provide facilities for the handling of the Indianola mail. It practically all goes there through private arrangements made by Indianola's people. There may be some straggling letters, as I wrote to the Postmaster-General, and there probably will be, written by some correspondent who has not been advised of the conditions there, and who

does not know that a letter addressed to Indianola will not go to Indianola, but will be sent to Greenville, and, being sent to Greenville, the addressee will not receive it. It may entail some great hardship upon him; it may entail great loss, and it seems to me to be simply to carry out a determination to see that these people shall be punished into giving the assurance that this woman will be acceptable to the people of Indianola, an assurance that never will be given.

They say, "You must give us assurance." What assurance can they give? There has never been any violation of law by those people; there has never been any threat, and I challenge the prosecutor of these charges to show any threat that has been made against her, unless the peaceable assemblage of the people there can be denominated a threat—a peaceable assemblage of the people there to present their grievances and asking her, who had power to do it, to redress them by her resignation. If she did not want to do so, she was not required to do so any more than the President is required to grant a petition addressed to him. But surely that does not deny them the right to present the petition. That right existed in all times in this country. It exists in every free country. That the right of peaceably assembling and presenting petitions should not be abridged in certain particulars is put in the Constitution of the United States, but it is not given by the Constitution of the United States; the right to petition is not given by the Constitution of the United States. Those were rights the people had before. Those were inherent rights in the people to peaceably assemble and to present petitions for redress of grievances to any authority of the Government; but that it should not be infringed or abridged by the laws of Congress is given by the assurance of the Constitution of the United States.

I have here a letter from the mayor of Indianola. The Senator from Wisconsin construes a letter written by the mayor as implying that there would be great danger of physical violence to this woman if she came back, a construction that is unwarranted by the language. It would be unpleasant to the mayor, of course, and it would be unpleasant to all the people of Indianola, for her to come back there and reoccupy the office of postmaster, and for that reason she does not do it; not because she is afraid of violence, but she does not want to run counter to public opinion there; and public opinion is the opinion of the white people there, as is known to everybody there, whether white or black, and the negroes themselves recognize that. I am going to read this letter to show that there is no justification for the construction of the Senator from Wisconsin that any threat was implied in the letter of J. L. Davis. Not only that, but there is no justification for the construction which the Postmaster-General and the President put upon that letter.

Here is the letter:

INDIANOLA, MISS., January 17, 1903.

Hon. A. J. McLAURIN,  
*Washington, D. C.*

DEAR SIR: I wish to thank you both personally and for the people of Indianola and vicinity for the great interest you have taken in our behalf and for the defense you have made for us. You know your people here, and you know that they are not the kind to forget a favor.

Now, as to Minnie Cox returning here, I want to assure you that she will be perfectly safe in returning, as safe as you yourself would be in coming here. But I want to impress on you the fact that there is not a man, woman, or child in this place who wants Minnie Cox as postmistress again. She has told at least a dozen people of this place that under no circumstances would she act as postmistress again, and as for defending her as postmistress, what would be the use in making such a statement, when she will not act in that capacity any more?

It has been claimed that this man would not give any assurance that he would defend her as postmaster if she came back, he being the mayor, and the sheriff would not give any assurance that he would defend her. He shows the reason for that was because there could be no necessity for giving an assurance of that kind, as she had uttered time and again her determination not to undertake to assume the office of postmaster there again.

She resigned the office voluntarily, and left the town of her own accord to visit a friend in Birmingham, and she knows that she can return whenever it suits her, or when she desires to do so. But we do not want her as postmistress, and if we can not get the office reopened, and continued without accepting her, we prefer to let it stand as it is. We did not force her to resign.

I hope the Senator from Wisconsin will remember that when he comes to comment upon the testimony of J. L. Davis, which he has introduced—

Right here, while it flits across my memory, I want to call attention to a statement of the Senator from Wisconsin in reference to the letter of the member-elect to the House of Representatives from that district, which I was not allowed during the time of his speech to correct. The Senator asserted that he would not have referred to the letter of the member-elect had it not been brought out by me. The Senator will recollect—and his remarks in the RECORD will show it when he comes to read them—that he was calling attention to the fact that certain parts of the correspondence in the Postmaster-General's Office had been read to me, or that the correspondence had been read to me. I then told the

Senator what parts of the correspondence and the documents in the Postmaster-General's Office had been read to me; so that it was the Senator who brought it out. I was compelled, when he called attention to what had been read to me, to state what it was that had been read, and so it was brought out by the Senator, and not by me. The letter continues:

And when she ascertained that she was not wanted by the citizens of the town, she acted in good sense in resigning, and we commend her action.

Will the Senator say because she acted in good sense in resigning, that thereby he means that if she had not resigned the people would have gone with a mob and with guns and pistols and killed the postmaster or run her out? It does not mean anything of that kind; and yet it would be just as reasonable, just as natural, and just as logical an inference as the inferences which the Senator drew from the letter of J. L. Davis, read by him. He goes on afterwards and explains himself.

If the President and the Postmaster-General want to discontinue this office, and thereby ruin the commerce of one of the best and most law-abiding towns in the United States, they will have to do so.

Those people have not arraigned the President; they have had no grievance against the President or the Postmaster-General. They have all the time disclaimed any such intention. It is in the letters received by me, which I read to the Senate heretofore in the speech I made in the presentation of this case. They acquit the President and Postmaster-General of any malignity or of any disposition to oppress them in this matter, of any enmity or hostility to them. But they have felt, they feel now, and I feel, too, that the President of the United States and the Postmaster-General have been misinformed about this matter.

We still believe the President has been misinformed, as his character is one of rugged honesty, and we want you to see him personally and lay this matter before him. If when he understands the situation he still wants to keep our post-office closed, he will have to do so. I do not mean to convey the idea that Minnie Cox would be assassinated, or even insulted, were she to return and open the office, but let me make it plain to you when I say that the people of this place and vicinity do not want Minnie Cox, or any other negro, as postmaster. Your friends here feel grateful, indeed, for the stand you have taken and for the defense you are making for them. This place is void of a lawless element, and as mayor I know this to be a fact.

With kindest regards, I am,

Yours, very truly,

J. L. DAVIS, Mayor.

Now, these people have only wanted to make it plain, as they have made it plain, or have tried to make it plain to Wayne Cox, that they do not want any negro postmaster in Indianola; that they would rather have no postmaster there at all. They want to make this fact plain, so that there can be no doubt about it and no quibble over it. While that is true, while that is the unanimous sentiment and feeling of the people of Indianola, at the same time they assert that she would be as safe to go back there and assume charge of the office as I, one of their representatives in the American Senate, would be to go to the town of Indianola. They make that plain. That contradicts the construction put upon the letter written by Mr. Davis to the inspector. He wanted to convey the impression there, probably in language not so explicit as the impression is conveyed in the letter to me and conveyed to the Senate by my reading it to the Senate, that it would be an unpleasant affair to the people; that they did not want a negro postmaster, they wanted a white postmaster, and they preferred to have no post-office at all rather than have a negro postmaster.

Now, they have made arrangements for a private post-office of their own. They have a post-office, not a Government post-office, but a private post-office of their own. They have engaged as postmaster a white woman. They have engaged a mail carrier, and that mail carrier every day twice carries their mail to Heathman, 4 miles away, and posts it there. At the same time they receive from Heathman the correspondence that is directed there for the people of Indianola. I have been told that the papers had it that if on the margin of the envelope there was the statement that the mail was for Indianola, notwithstanding the fact that it was addressed to Heathman, it was sent to Greenville. I can not believe that unless I have further evidence for it. Notwithstanding the fact that they are denied the benefit of their mail within 4 miles, and it is sent 30 miles, I do not believe if it were addressed to Heathman, and on the margin it was stated that it was for Indianola people, it would for that reason be sent to Greenville.

I have another little document here which I want to read. I desire to read from Mr. Baird, because I have nothing to conceal from anybody in this matter. Mr. Baird was at one time a representative in the State legislature, and is a lawyer there of high standing. He comes from a fine family. He writes as follows:

INDIANOLA, MISS., January 13, 1903.

Hon. A. J. McLAURIN, Washington, D. C.

DEAR SIR AND FRIEND: Chapman tells me your original telegram was addressed to me as well as himself. I was not at home is the reason I did not reply. I have had very little to say or do with the matter; was not at the first meeting of citizens to discuss the negro question when the resignation of the postmistress was demanded. At the second meeting I acted and voted with the majority in protesting that it should go out to the world that the

good people of the town were in favor of forcing any law-abiding citizens to give up an office or make them leave the town.

That is, a majority of the people.

Minnie Cox tendered her resignation to last meeting, to take effect 1st of January, 1903. Hoping you may soon be able to relieve us of the situation, I am, sincerely,

THOS. R. BAIRD.

Mr. Baird is one of those who states that it was a voluntary resignation. Mr. Baird is one of those who voted against a resolution to make the doctor leave town, and voted with the majority in doing so—and I am informed the doctor did not leave town. That a resolution of that kind was introduced into the meeting certainly is not a reflection upon the whole people in the county and the whole State of Mississippi, because whatever reflects upon the people of Indianola is a reflection upon the people of the entire State of Mississippi, inasmuch as it is a representative community of Mississippi. I say, because such a resolution was introduced by somebody is no reason why the people of the whole State should be denounced and branded as lawless and brutal, and that is the effect of it.

A majority voted it down. They were there acting as a unit—that is, getting the will of the majority. Whatever was the will of the majority was the will of the entire meeting. So when the majority voted and the majority expressed their wishes, it became the wishes of the entire community, and the wishes of the entire community were that the negro doctor should not be required to leave town.

Of course, the matter discussed about the negro who insulted the young lady in the store was not a matter of any resolution. It may have been referred to. The thing that brought about the trouble at the time it was brought about was that on the 18th of September a young lady—respectable, chaste, well-conducted, well-behaved, deportment unexceptional, nobody complaining of her at all, working for a living as a clerk in a store—was approached by a drunken negro porter with improper advances, which she resented and which she reported to her friends, who immediately, to use common parlance, went after him, and he was compelled to flee the town.

Let me tell you I have no apologies to make for it for the people of Mississippi. It will be done at any time, under any circumstances, by the people of Mississippi, and it will take a hundred thousand bayonets to restrain them when the virtue of their women is assailed.

Mr. SPOONER. Will the Senator from Mississippi permit me?

Mr. McLAURIN of Mississippi. Yes, sir.

Mr. SPOONER. Mrs. Cox had not made any improper advances to any woman in Indianola, had she?

Mr. McLAURIN of Mississippi. I have not said that she has. I made no reflection upon the postmaster. She is of a very good negro character, as I suppose. She has the respect of the white people of that community as a good, well-behaved negro, as I understand. Still, the fact that the postmaster has made no improper approaches to anybody does not justify a negro porter in making improper advances to a woman because she happened to be a clerk and unprotected.

Mr. SPOONER. Does the Senator mean to imply that I have justified that in anything I have said?

Mr. McLAURIN of Mississippi. The Senator can say himself whether his question to me meant that.

Mr. SPOONER. No; I say Mrs. Cox—

Mr. McLAURIN of Mississippi. I leave the Senator to say whether he meant that by his question to me.

Mr. SPOONER. I say whatever the people felt like doing or did do to this colored man who insulted a white woman would not afford any justification for the action against Mrs. Cox, because she had insulted no white woman.

Mr. McLAURIN of Mississippi. The Senator can not parry it in any way like that. I want to say that in the State of Mississippi, and in every other State where the people have the idea about it that we have, when the negro question is sprung and there is trouble between the negroes and the whites, especially growing out of a proposition like that, it inflames feelings and passions which ought to be permitted to lie dormant. I am saying this to show that when the people of a community, who are human, who are possessed of human impulses, human instincts, if there may be such a word employed, human intuitions, are aroused they act like people do everywhere else. They go to extremes when race feeling is aroused. I suppose it is so in the State of Wisconsin as it is in our State.

I remember that only a little while ago—I may have occasion to read an account of it—in the State of Kansas a negro killed a white man. They could not tell which of two had done it. A mob took one out and hung him, even in the State of Kansas, and it turned out, as the report of the newspaper stated afterwards, that it was a case of mistaken identity, and they had hanged the brother of the guilty man instead of the guilty man himself. I



was calling attention to the insult offered by a drunken negro to a white girl in Indianola to show how race feeling broke out; how it lay quiet there for a long time; how the people had quietly submitted to this postmaster without raising any audible objection, and how they came to raise the objection just at this time, because there has been a great deal said—I inferred as much from the Senator's speech—as to why the people of Indianola permitted this negro woman to hold the office under the Administration of Mr. Harrison and under the Administration of Mr. McKinley and up to this time in the Administration of Mr. Roosevelt and just now come to raise the question.

I suppose there is always some reason for the action of human beings. I understood the Senator himself to read a letter of some man who had recently, from being a commercial, gold-standard Democrat, turned Republican to get the office, as Republicans in the South generally do, and that, wanting to get the office, he had instigated this movement to oust Minnie Cox. I infer that was the meaning of the reading of that letter, because it did not give any facts; it did not refer to any threats made or violence offered to this woman. He read the letter—

Mr. SPOONER. The Senator will permit me?

Mr. McLAURIN of Mississippi. Certainly.

Mr. SPOONER. I read the letter to show that the purpose had existed there to force the resignation of Mrs. Cox. That is what he said in the letter.

Mr. McLAURIN of Mississippi. And to get a white Republican in—this new convert to the Republican party.

Mr. SPOONER. He stated a pertinent fact, if it is true, and there is nothing in the papers or in anything the Senator has said to dispute it. They had resolved—and resolved quite early—that Mrs. Cox must resign, and the Senator himself has shown that they signed a polite request to Mrs. Cox to resign her office by November 2. It is not very often, I suppose, that the white people of communities down South present petitions to colored people. But they fixed a date in the first instance for her to resign. What does the Senator think? Suppose in the exercise of this alleged right of petition they meet and pass a resolution requesting a man against whom they were enraged for some reason to have the kindness to leave town within twenty-four hours. I suppose that would be the exercise of the right of petition.

Mr. McLAURIN of Mississippi. That would depend upon circumstances. I have known men who ought to be requested to leave in considerably less than twenty-four hours, and I know men that have been so ordered to leave.

Mr. SPOONER. I have no doubt the Senator has.

Mr. McLAURIN of Mississippi. Yes, sir; the Senator has.

Mr. SPOONER. But that is not the exercise of the right of petition. It is simply a threat, and everybody understands it is a threat; and when the people of a community circulate petitions to a Federal official, of whose conduct in the duties of the office there is no complaint, that she resign by a certain day—it is a wonder they did not fix the hour—does not the Senator regard that, situated as this woman was, as a threat?

Mr. McLAURIN of Mississippi. I do not. I do not regard it as any threat, because I do not believe these people would have done the woman the least harm if she had stayed there until now. I believe they would have taken a measure like they have adopted, to get their mail elsewhere. I believe she appreciated that. I believe she appreciated that their race distinctions went to the extent that they were not going to get their mail there any longer if she was postmaster; that they would have a white postmaster like they have, a private postmaster, getting their mail by private carrier from Heathman, as they certainly have a right to do.

Mr. SPOONER. I thank the Senator for his confession.

Mr. McLAURIN of Mississippi. I have made no confession. I am guilty of no crime.

I want to say one thing with reference to the Senator's statement that it is an unusual thing for the people to present a petition to a negro. That may be. But when they are put upon us and we make complaint, we ought not to be censured for it, unless it is on the idea of the boy who cried, "Ma! Ma! Make Bill behave himself. Every time I hit him on the head with the hammer he hallooes."

But the Senator a moment ago, when he interrupted me, said there was a resolution that the postmaster must resign. If the Senator persists in drawing illogical inferences and conclusions, he ought, in justice to the people of Mississippi, be accurate in his premises of facts. There was no resolution that she must resign. The resolution was that a committee be appointed to solicit signatures to a petition requesting her to resign. Having put their resolution in writing at a public, peaceable meeting to consult about their public affairs, the people of Indianola have a right to insist that the written resolution is the expression of their purpose.

Mr. SPOONER. If they had any complaint to make of the postmaster, why did they not make it to the man who appointed

her and who could remove her? Why not make it to the man who had some power and responsibility? Why make it to the woman?

Mr. McLAURIN of Mississippi. Simply because it has not yet got to that point in this country, thank the Lord, that a man can not petition a negro postmaster if he desires to do so, even if it is a negro woman. Even the people of Mississippi have that right accorded to them thus far.

Let me see what Wayne Cox says about this. He has spoken about it. I quote from the Memphis Morning News:

#### WHAT WAYNE COX SAYS.

Probably the most significant feature in substantiation of this statement is the interview of Wayne Cox, the husband of the recent postmistress. Cox is an intelligent, industrious negro. He owns probably \$35,000 worth of property in and around Indianola, and the business interests of the community are his interests. He has enough sense to know that he and his wife can not afford to fly in the face of public sentiment. Before leaving for Birmingham yesterday he talked to a special representative of the Morning News for half an hour or more.

"If my wife or myself had known that she was distasteful to the white people of this community she would have resigned long ago. I am a citizen of this town. I have lived here for years. I pay taxes here on my property, and the interests of this place are my interests. The white people are my friends and have treated me with consideration and kindness. I would not openly or by indirection do anything to offend them."

"As soon as I learned that my wife was no longer wanted by the white people I advised her to resign. Her resignation was not due to threats or intimidation. None were made. My wife does not care for the place and would not have it under the circumstances."

"We expect to stay here, and we feel sure we will be accorded the fair and just treatment we have always had."

"I do not find fault with the white people—those who wanted my wife's resignation. I think, however, that a mass meeting was unnecessary. If representative citizens had simply come to us and stated the facts the resignation would have been forthcoming just the same."

There is the statement of Wayne Cox himself. He and his wife felt, just as the newspapers stated, that it was not the thing for them to do to fly in the face of public sentiment. They did not want to fly in the face of public sentiment. They are people of property living in that community. They are people who enjoy the confidence of the white people of that community and the esteem of the white people as negroes in their place. The mass of the negroes there are people without property. They have, in a financial way, no interest in common with Wayne Cox and his wife. But Wayne Cox's interests, his financial interests, are a community of interest with the white people who own most of the property in that community. He did not want to have their ill will. It is natural, and the people of this community could see that as well as anyone else could, that the Coxes did not want to incur the displeasure and ill will of the people of that community. Therefore it was only necessary to let them know that her resignation was desired and it would be forthcoming, as it was forthcoming.

Now, I omitted the other day to read a telegram which I had when I made the statement before, but which was not at my desk at the time. It was dated Indianola, January 9, 1903.

Senator A. J. McLAURIN, Washington, D. C.:

Postmistress voluntarily resigned her office. Voluntarily left town. Will be safe and protected when she returns. Will write.

P. C. CHAPMAN.

Mr. HOAR. Why did she leave town?

Mr. McLAURIN of Mississippi. She left town, as I am informed, to visit her people. She stayed in town four or five days and walked the streets there after the office was closed. She certainly did not leave—if that is implied by the Senator's question—from any fear or threats of violence.

Mr. HOAR. I did not mean to imply anything by my question. I do not want to meddle with this debate. The Senator from Wisconsin [Mr. SPOONER] will take care of his own side of it. It struck me as a very curious thing that somebody should telegraph to a Senator in Congress that a colored lady in some town in the interior of his State had left town; and I wanted to know how it happened that that particularly interesting piece of information was conveyed to the Senator. He says because she left town to visit some friends.

Mr. McLAURIN of Mississippi. It happened—

Mr. HOAR. Does the Senator receive similar information about the movements of any other colored lady in Mississippi?

Mr. McLAURIN of Mississippi. I do not know that any other colored woman has left town. I do not know that there has been any necessity for telegraphing about any other colored woman. I certainly am not in correspondence with them.

Mr. HOAR. How does the Senator account for the fact that a lady, having merely resigned an office and everything being agreeable all around, she being in no danger, somebody in one of the towns of his State should telegraph to him that she had left town? I suppose there is some reason for it.

Mr. McLAURIN of Mississippi. There is a reason which I would have given to the Senator if he had just asked the question and given me time to answer it before asking it the second time. There is an easy solution of it. I was home during the

holidays, and when I reached Washington I found that this office had been discontinued. I believe the Senator from Wisconsin will not allow me to say abolished, but it had been discontinued in some way. I suppose the people of Indianola will be glad to hear it has not been abolished. When I reached here and found that the office had been discontinued and their mail ordered to Greenville, I addressed a telegram to Mr. Chapman asking him to send me the facts connected with it.

On the 8th I sent another telegram, asking him about the resignation of the woman, whether there was any threat made or implied against her by anybody; and the telegram I read in response to the later telegram I sent to him. So there is nothing remarkable about his sending a telegram of that kind. I do not think there is anything remarkable about a Senator, who finds that one of the post-offices in the State which he has the honor to represent as one of the Senators in this Chamber has been discontinued, going to work to get the reopening of the post-office. So I am sure the Senator's alarm is not well founded.

Mr. HOAR. Mr. President, I did not criticize or call attention to any telegram sent by the Senator. What I referred to was the one sent him.

Mr. McLAURIN of Mississippi. The one sent by the Senator provoked the one that was sent to him. It was in answer to the one I sent that Mr. Chapman sent this telegram to me.

I should like to say just here to the Senator and to the Senate that those people did not set about getting their office reopened. I did it because I thought it was my duty as a Senator to do all I could to cause the reopening of the office. I could only do it by sending to them for information. So far from their setting about it, they have been willing all the time, inasmuch as the President and the Postmaster-General saw fit to convict them of being a lawless and brutal element and to close up their post-office and to deny mail to men whom it is admitted never committed an unlawful act (I believe it is stated who had never gone so far as to commit the offense of asking or preparing to ask for the resignation of Minnie Cox), thus depriving those people of their mail—they are willing, inasmuch as they were thus convicted without a hearing of the charges against them, and without knowing that they were accused, and without being allowed the opportunity to confront their accusers, and conscious of the integrity of their peaceable action, to let the matter stand just as it is until the President and the Postmaster-General shall see fit to open it of their own accord, if it ever occurs to them to do so.

I have here an article from a paper which is not in our section, a paper published in New York. Possibly it has been seen by the Senator. Possibly it has been read by him. It is a paper of some influence in this country. It is regarded as a paper of some little standing in the United States, and probably across the water. I refer to the New York Herald. In its issue of January 12, 1903, it speaks of this matter; and this paper certainly has no feeling against the President of the United States, for until lately it had his name up as its candidate for the next President of the United States. The article is as follows:

PRESIDENT ROOSEVELT SHOULD RETRACE HIS STEPS—THE COUNTRY DOES NOT WANT A DEPLORABLE COLOR ISSUE.

From the outburst of resentment throughout the South and the expression of sober Northern sentiment President Roosevelt must now realize that the ill-advised appointment of Dr. Crum, following closely on the abrupt closing of the Indianola post-office, was a blunder which has already done no little mischief, and which, if persisted in, can hardly fail to lead to the most deplorable consequences.

To this prevailing opinion of the country the President may well bow and promptly repair the mistake by accepting the resignation of Mrs. Cox, opening the Indianola office with a postmaster acceptable to its citizens, and withdrawing the obnoxious nomination from the Senate to avert a sectional discussion to be deprecated by the entire nation.

One of the results of the Spanish war hailed with keen satisfaction by the American people was the welding of Northern and Southern feeling in patriotic unity. It was a theme that President McKinley loved to dwell on, and is one on which President Roosevelt himself has repeatedly spoken with enthusiasm. But if the agitation now menaced should be fomented it would not only undo the good then done, but would set the country back a generation in color prejudice and sectional strife.

The sentiment against color in the South may be unfortunate and to be deplored, but the vital fact is that it exists, is universal and rooted in the growth of centuries. It may wear out, but can not be cut out. Mr. Roosevelt may buck against it, but neither he nor any other President, neither Congress nor the Republican party, can overcome it. He can no more enforce political equality of the races in the matter of office holding, which is not a Constitutional right of any citizen, black or white, than he can enforce social equality. Any strenuous attempt to do so will simply intensify prejudice against color, embitter race feeling, and cause sectional strife, in all of which the negro will inevitably be the greatest sufferer.

Apart from this view there is a controlling consideration of policy. It is a recognized international principle and established usage that a diplomatic representative must be, irrespective of merit or worth, persona grata to the government and people to which he is credited. For this reason President Roosevelt recalled the first counsel he sent to Habana. Now the same principle should apply to such prominent Federal officials as collectors and postmasters, who are brought into close touch with the people. Like a diplomatic representative, their usefulness depends in a large measure on their acceptability.

It matters not what the personal objection may be; if it is shared by the community and the appointment is obnoxious to the citizens that is enough to render it unfit and impolitic, especially in view of the fact that there are plenty of other men as well qualified and personally unobjectionable.

Would President Roosevelt think of forcing upon New York, Boston, Philadelphia, or San Francisco a collector or postmaster against the unanimous protest of business men and citizens? Why is not a leading Southern city entitled to equal consideration? He recalled Consul Bragg from Habana because he was not acceptable to the Cuban people. Why not recall the nomination of Dr. Crum from the Senate because it is obnoxious to the citizens of Charleston?

It is an issue of more than local concern and of far-reaching consequence. The Charleston appointment and the Indianola affair have stirred Southern feeling as it has not been stirred for years. Both were unwise and uncalled for steps in a policy which can only mean serious mischief and can not be abandoned too soon for the good of the negro as well as the white people of the South and the entire nation. It is to be hoped that the President will retrace his steps before a bitter sectional discussion is provoked in the Senate.

Now, then, that is not from a Southern paper. It is not from a Mississippi paper. It is from a Northern paper. It is from a paper published in the largest city in this Union, and probably the second largest city on the globe. Is it a paper that, as I said before, had at its masthead for the next President of the United States until a few days ago President Roosevelt. It recognizes the fact that this race distinction does exist. It probably deplores that the race distinction exists, but still recognizes it as a fact that can not be cut out, nor can it be worn out, but that it is there for all time; and he advises that the step by the President be retraced.

To be sure, President Roosevelt did not appoint Minnie Cox postmaster, but President Roosevelt received her resignation. President Roosevelt went about the inquiry whether the people had forced that resignation by duress or whether it was a voluntary resignation by Minnie Cox, and he gave the people of Indianola, who are are vitally interested in this matter as business men and citizens, no voice, no hearing in the determination of that question and in the result of that investigation.

Now, that is not all. Right here from New York I find this letter from Middleton, N. Y., January 10, 1903:

"STRENUOUS" ACTION'S HAVOC—POLICY OF THE PRESIDENT ON THE RACE PROBLEM IS DEPLORED.

To the Editor of the Herald:

Your most excellent editorial in the Herald of January 8 absolutely condemning the attitude taken by President Roosevelt on the negro question in the South is timely, logical, and wise, and will meet with the approbation of the American people.

Such "strenuous" action on the part of our President is sincerely to be deplored at this time and can but create havoc instead of cementing that friendship most needful toward upbuilding and perpetuating the strength of our country.

It should not be that we would antagonize the predominant and better element of the South, thus eliminating that influence especially necessary for the maintenance of this Republic. Such drastic measures will but inflame a prejudice that is by no means inert, and the result would be more than difficult to adjust.

Were it not even possible to obtain available material from the ranks of white citizens it would be a widespread calamity to force such obnoxious conditions upon those people most concerned. The negro occupies the place that God has willed, and it will ever be so in spite of any human force that could be applied.

Let us educate them along the lines that will make useful citizens in the sphere so ordained, and not permit false ideas to predominate over common sense and simple justice.

Other countries have solved to a great extent the race question, to a pleasing degree of satisfaction. Why not the greatest country on the face of the globe?

EUGENE WARE BRANNON.

MIDDLETOWN, N. Y., January 10, 1903.

There is the statement of the feeling of a man written to the New York Herald, a man who is not afraid and is not ashamed to put his own signature under it after he has done it.

Here is another one in the same issue of the New York Herald of January 13, 1903:

To the Editor of the Herald:

As a Southern Republican, wanting no office, desiring the negro to be given every opportunity to become a useful, capable, and respected citizen, and having the wish to spend my own life building up a home, helping to develop my country, and to serve my God, I could but say "Thank God!" upon reading your editorial on the Crum appointment.

The people of the South speak with respect and reverence of Lincoln, Grant, and McKinley, and were prepared to worship Mr. Roosevelt as their hero. In fact, Mr. McKinley so mellowed up the Southern people that they were ready to go into the Republican party by the thousands, and those who remained Democrats would have felt no resentment toward those who changed.

Mr. Roosevelt is bitterly hated to-day by almost all Southern white men, regardless of whether they be Republicans or Democrats. His position on the negro question has solidified the Democrats as no other conceivable policy could have done. He has aroused the bitterness of race feeling, and it is a question of time when murders will result therefrom.

He has given aid and comfort to that class of Southern Republicans who do not wish the party to build up down here lest it grow too big for each Republican to have a Federal office.

He has made it exceedingly embarrassing for that class of Republicans who love their party and feel that the continued prosperity of this country depends upon the continuance in power of the Republican party.

He has thrown away his every opportunity of doing good to the white people of the South and has placed the negro in the position where he will receive tens of thousands of kicks and cuffs that are wholly undeserved and for which Mr. Roosevelt is directly responsible.

Your paper is the greatest single factor in America, and we thank God that you have feared not, in kindness, to speak the truth.

SOUTHERN REPUBLICAN.

This man did not sign his name. This man does not state correctly the feeling of the people of the South against Mr. Roosevelt. There is no hate against Mr. Roosevelt, even because of the



Indianola affair, because, as I have read from letters that are addressed to me in reference to this matter, some of them not intended to be read to the public and not even intended to be read to Mr. Roosevelt or the Postmaster-General, they have the friendliest feeling for him. They regard him as a man of honest, rugged integrity. They regard him as a man of impulse, however, and they regard him as a man who has gone off on this matter without giving both sides a hearing and without considering the judgment he first formed in regard to it.

I believe that these are about the only documents I desire to now read. I have some other newspaper clippings which I intended to read, but I have probably already taken up too much of the time of the Senate. I will read but one more:

WILSON AND INDIANOLA—DR. G. J. RED, OF LATTER PLACE, ON HOW THE TROUBLE STARTED AND HOW THE PEOPLE FEEL.

DURANT, MISS., January 20, 1903.

Dr. G. J. Red, a prominent citizen of Indianola, Miss., made the following statement to the correspondent for the News here to-day, having reference to the statement in Sunday's issue that Edgar S. Wilson knew of the impending post-office trouble at Indianola at the time President Roosevelt hunted in Mississippi:

"It is strange to me that Mr. Wilson knew all about the post-office affair at Indianola before I, a resident of said town, did. He is said to have known and spoken to the President while on his Mississippi hunt of said post-office about to give trouble, while we knew nothing about it. I would like for the world to know how this Indianola affair came up.

"A young lady clerking in a Jew store was insulted by a negro clerk. Half of the citizens of Indianola concluded at the time to stop the whole negro business. We simply asked them to resign. All agreed. There was no feeling between the negroes and the white people. It was simply a request. The white people were a little crossways among themselves.

"Now everything is quiet. We, the white people, are united. I learn from a Republican source that two-thirds of the negroes are pleased that Minnie Cox is out of the post-office. I can refer to said Republican if necessary. I do hope the President will look at this matter from the local viewpoint and eschew his personal feelings. We are perfectly satisfied with our present post-office arrangements, and if the President does not see fit to reestablish our post-office we, as good citizens, will have to submit and continue the present arrangements. What I say as truth will be vouched for by Hon. John S. Williams."

Mr. President, I have in this desultory way tried to present without acrimony the case of the people of Mississippi against the charge made by the Secretary of the President and stated to be made for him in the statement. It sums itself up in conclusion to my mind thus: That the people peaceably, lawfully, as they had a natural as well as a constitutional right to do, assembled to, in a peaceable way, rid themselves of a postmaster they did not want. Logically and legitimately it does not matter whether that postmaster was the proper person to be postmaster of the town of Indianola or not. It does not matter, so far as the proper discussion of this question is concerned, whether the people of Indianola, who are interested in the mail and the mail facilities, have any right at all to express any opinion or any choice of their postmaster.

They may not have any right of that kind. It may be that it is regarded that the people of Indianola are a people who are outlawed under the present Administration of the American Government from any participation in the Government, and that they should consider themselves fortunate if the Administration shall see proper to give them any postmaster. It may be that this is the position which is intended to be taken by the Administration in this matter and by the Senators who intend to prosecute this indictment against the people of the State of Mississippi, because, as I have said, it is an indictment against the whole State, for all the people of the State entertain the same views in respect to negro postmasters.

But it ought not to be denied anywhere, by the President of the United States, by the Postmaster-General, or by the Senate of the United States or any member upon this floor, that the people of Indianola, stripped as they may be of every other right, stripped of every part in the selection of the officers to serve them in that official capacity, still have a right to assemble peaceably, as they have done, and to petition for a redress of what they consider as their grievances, because in its last analysis the right to petition for a redress of grievances means a right to petition for the redress of grievances as they are conceived to exist by the petitioners.

It comes, then, to this, that this last right is still enjoyed by the people of the State of Mississippi, and they have only exercised that right at Indianola, and for its exercise they have been condemned without a hearing, denounced upon baseless assertions, and their postal facilities denied without redress. That race distinction exists no man denies. Whether it is right or wrong is not germane to this question. The sentiment concerning color may be wrong. I do not think it is wrong if it does not go to the extent of hate; if it does not go to the extent of enmity; if it only exists as the judgment of men that there is a race in this world which rises far above all other races; that there are races which are inferior to ours, as a necessary consequence, and that the races having the distinction of superiority and inferiority their association ought to be distinct.

If it goes no further than to the exercise of the right of judg-

ment, and that judgment is that this superiority of the white race exists, then I do not think it wrong. But grant, for the sake of the argument, that it is wrong. The people of Indianola and the people of Mississippi have a right to exercise their judgment upon it; and if their judgment is based on this race feeling—that is, the feeling that goes to the extent of believing that the white race is superior to any other race on the face of the earth—they have a right to undertake, in a peaceable, law-abiding way, as they have done, to remove by petition to her any postmaster whose appointment conflicts with that sentiment and the judgment they have in reference to the races.

Now, granting, as I said, that this was wrong, they have a right to exercise that opinion and that judgment. They have exercised it, and that is all they have done. It may be hard upon the postmaster. She may wish that it were not so. I dare say she does wish that it was not so.

I will go further than that and say to the Senator that she, in my judgment, wishes that she were a white person instead of a negro. Still, the people of the State of Mississippi are not responsible for the fact that she is not a white person instead of a negro person. The people of Indianola are not responsible for the fact that she is a negro and that this distinction of races exists any more than she is responsible for being a negro.

And because these people have done that, it is claimed that it was duress, when there is not a scintilla of evidence produced here or anywhere else that they have offered the least single violence, unless the Senator, by his great power of eloquence and great power of debate, can construe this, as he has done, into an implied threat. He has so construed the exercise of an inalienable right, of a natural right, of a right guaranteed by the Constitution of the United States, never to be abridged, and unless the Senator can, by the force of his powerful genius and his powerful oratory, convert that into an act of duress there has been no duress whatever. His ingenious handling of the case to relieve the Executive of the embarrassment of his ill-advised act does credit to the Senator's ability, but it does not convince any thinking man that the people of the United States commit a crime by peaceably assembling and appointing a committee to prepare a petition addressed to a negro postmaster asking resignation.

There is a species of duress when the people of one community change their officials. When the people of the United States change from one party to another in this country, there is a duress which compels the appointees of one party to get out and give place to the party which comes into power. There is a duress which by ballot compels the President of the United States to give up his place to another President. Still there is nothing unlawful about it. It is the exercise of a constitutional right of the American people.

That the race distinction exists, as I have said, I am not responsible. The people of Mississippi are not responsible for it. The people of Mississippi are no more responsible for the condition of servitude imposed upon the negro in the South and in New England than we are for the barbarous and cannibalistic character of his ancestors.

This race, as I said, was elevated in this country, at least a portion of it, from a condition of barbarism and cannibalism to slavery, and they have been benefited and blessed by it, while the white people of the country have been cursed by it. But for slavery there would never have been a negro in the United States. None was brought, even by New Englanders, from motives of love or charity. Those who are here would have been in the jungles of Africa, feasting upon the flesh of their captives.

Now, I have no feeling of ill will or enmity against the colored race. My feeling toward the race is that of kindness. I know that there are many of them who are good people. I class great numbers of them among my friends. I would protect them wherever I had the opportunity to do so. I had the opportunity when I was a 19-year-old schoolboy to protect one of them from the violence of a mob, and I did it.

I afterwards had the opportunity, when I was a private citizen of my own State, to appeal to the reason and better judgment of an enraged mass of three or four thousand people who were about to take a negro who had shot down a little white girl 13 years old and stood over her with his pistol and shot bullet after bullet through her body into the ground so close that he set her clothes on fire. They had possession of him and were carrying him to a limb, and I made an appeal to them to let the law take its course and let him be punished according to law. The appeal was successful. They turned him over to the officers, and he was, by the sheriff of that county, under a warrant issued under the sentence of the court, executed in the presence of four or five thousand inhabitants of that section.

On another occasion, when I was the governor of Mississippi, and there had been a riot between some of the white people and some of the negroes about 50 miles from the capital of the State, precipitated by the shooting down from ambush and killing the

officer and wounding his posse by a mob of thirty or forty negroes, when the officer was in search, with a warrant for the arrest of, a negro for a deadly and unprovoked assault, I, chartering a caboose, went to the nearest station, some 10 miles from the scene of the conflict, rode horseback in the night over muddy, corduroy roads, and reached there just in time to persuade a mob of 150 or 200 men who had caught five of the offenders to desist from the execution of them by lynch law and to commit them to the hands of the officers; and they did it.

I have been in favor of law and order. I have been in favor of the execution of the law. I would not do any harm to any negro because he was a negro. I would rather see him educated; I would rather see him improved. I am not one of those who believe you can ever educate him up to be a white man; that you can ever educate him to the standard the white man occupies in the scale of the races of the world. I am one of those men who do not believe that all the education you can apply to him can make a white man of him or give him the character and capacity of a man of the white race. I have friends of the negro race for whom I would travel through bitter cold or sweltering heat. They are men and women of good impulses, but I know and so do they that they can not be made of the white race.

Still, I believe that he can be improved. I believe that his condition and standing and importance to the community can be improved by education, and I have helped to do it. I have gone further than that. I have by money of my own purse educated a negro who had been my faithful servant, who had stood by me as my friend. I educated him not only in the private school in my neighborhood, but I sent him off to a high school of the negro race and gave him the benefit of education there.

I have many friends among this race. I have many friends by whom I would stand and who would stand by me. I know that there are a good many good negroes. I know there are many bad negroes. I know there are many mean negroes. I know that the vicious elements of the negro race have been encouraged by the cry against the people of the South to commit crimes that have caused the death of innocent women and innocent girls and have caused the lynching and torturing of the negro fiends themselves. They have taken it that the people who have inveighed against the people of the South were doing it because they approved of the crimes that were being committed by these negroes.

I have in my mind now a poor helpless, feeble, defenseless woman in Mississippi, who last summer was murdered and outraged when she was just about to become a mother, by a brute who had committed crimes against members of his own race and outrages upon the females of his own race, as he confessed in the presence of impending death. The man was betrayed by his own wife as the criminal who had committed the crime, because he had whipped his wife mercilessly and cruelly, and the people in their indignation rose and lynched the fiend. I know these things exist, and I know that a great many of them have been encouraged by unwarranted attacks upon the people of my section. But at the same time, as I have said, we have in our State many good negroes.

Mississippi, I will say in conclusion, sympathizes, the entire State sympathizes, with the people of Indianola. The State of Mississippi has undergone many changes and vicissitudes in its short but checkered life. I am not an old man myself, but I can remember the time when the pioneers of Mississippi laid the ax to the root of the tree and felled the forests and converted them into productive fields, the products of which fed her citizens and clothed a quarter of the civilized population of the globe. I can remember the time when our people had developed into a prosperous, proud, rich State, rich in its material wealth, rich in finances, rich in its manhood and in its womanhood, and assembled on our natal day, the glad shouts from the lusty lungs of her sons were heard, and her beautiful women nodded approving smiles when their orators beneath the folds of the Stars and Stripes told of the struggle of the Revolution and discoursed of the glories of independence and of liberty and the blessings of the American Union.

I have seen the times when the people of the State, in the harvest season, enjoyed themselves with the hunter's horn, following the chase to the music of the hounds. I have seen another time come when they were impelled, right or wrong (I am not here to argue, because the question has been submitted to the arbitrament of the sword), to sever their connection with the American Union. I have seen her sons, with singular unanimity, go out to fight for what we conceived a holy and a sacred cause, in the protection of their firesides and their homes and their women and their little ones against invasion.

I have seen the soil of Mississippi drenched with the blood of her sons that laid the dust like rain. I have seen the careworn women and hungry children of our State cry for bread while the contents of their cribs and their smokehouses went up in flames kindled by the hands of invaders in resistless numbers. I have seen the elements black with the smoke of our cities and towns

and villages and country homes, and our schoolhouses and churches and eleemosynary institutions erected for the care of the halt and lame and blind and deaf and dumb and those bereft of mind, when the torch was applied by hostile armies. I have seen the time come when, arrived at the age of 16, under a sense of duty I still approve, I took a rifle as a private and joined the ranks to fight against that Government for the establishment of which my ancestors only three generations removed fought in the incipency of the Revolution. I have seen the time come when, our treasury emptied, our ranks depleted, the sources from which they were recruited exhausted, we were compelled to lay down our arms, and \$400,000,000 of property in which the Constitution of the United States invited us to invest the fruits of our toil was swept away without indemnity. I have seen the time come when it was declared that we were not a part of this Union. I have seen the time come when there was put in charge of the government of Mississippi a race of people who knew no letter nor no book, who knew nothing of government except the absolute government of the slave by the master, and whose only training for self-government, to say nothing of the training for the government of the white superior race, and whose only elevation from barbarism and cannibalism was found in the school of slavery.

I have seen the legislative halls of our State filled with members of that race, not one of whom could write his name or tell a letter in the alphabet or paid a dollar of taxes to support the Government. I have seen peaceable assemblies of her citizens ordered by Federal military to disperse when they were in social converse on the Sabbath evening, and because they refused to do so, old men, 80 years of age, marched off through the mud 4 miles to a jail, from which one man died. I have seen a man who was military governor of the State of Mississippi, who was not a citizen of the State, elected to this body.

I have seen another day come, after this mad carnival, when the State government of Mississippi was turned over to its own people. I have seen the State of Mississippi literally rise from its ashes, rebuild its waste places, build its factories, its mills, its ports, its cities, its towns, and its villages.

I have seen another war come, when the people of the State of Mississippi marched to the beat of the drum under the flag of the Stars and Stripes, united again with the Northern people to fight the battles of a common country. I have seen, as I thought, a happy reuniting of these sections. But allow me to say that in all this time I have never yet heard it said by any authority until now that we had not the right to peaceably assemble and peaceably present our request for what we desired in reference to our public affairs.

It may be that it will come to this; it may be that this is a step in the fastening of this chain upon us; but I assure you that, while we may be compelled to submit to it, willingly or unwillingly, under the Administration as it now stands, we never will do it without our protest. In the language of McGregor:

O'er the peak of Ben Lomond the galley shall steer,  
Through the depths of Loch Katrine the steed shall career,  
And the rocks of Crag Royston like icicles melt  
E'er our wrongs be forgotten or our vengeance unfelt.

#### HOUSE BILLS REFERRED.

The bill (H. R. 9865) providing for the election of a Delegate from the Territory of Alaska to the House of Representatives of the United States, defining citizenship and the qualifications of electors in said Territory, was read twice by its title, and referred to the Committee on Territories.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 11544) to correct the military record of Thomas J. Morman; and

A bill (H. R. 14922) to correct the military record of Palmer J. Percy.

#### EMMA DEAN POWELL.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 6361) granting a pension to Emma Dean Powell, which was, in line 8, to strike out the letter "a" and insert "per."

Mr. GALLINGER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

#### LAURA S. PICKING.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 2896) granting an increase of pension to Laura S. Picking, which were, in line 8, to strike out "fifty" and insert "forty;" and in line 9, after the word "receiving," to insert "and \$2 per month additional on account of the minor child of said Henry F. Picking until he reaches the age of 16 years."

Mr. GALLINGER. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.



SARAH E. ROPES.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 6467) granting an increase of pension to Sarah E. Ropes, which was, in line 8, to strike out "thirty" and insert "twenty-five."

Mr. GALLINGER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

MARY J. IVEY.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 6693) granting a pension to Mary J. Ivey, which was, in line 9, to strike out "twelve" and insert "eight."

Mr. GALLINGER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

JOEL C. SHEPHERD.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 5835) granting an increase of pension to Joel C. Shepherd, which was, in line 8, to strike out "twenty" and insert "sixteen."

Mr. GALLINGER. I move that the Senate disagree to the amendment of the House of Representatives, and ask for a conference with the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. GALLINGER, Mr. SCOTT, and Mr. CARMACK were appointed.

PUBLIC BUILDING AT NOME, ALASKA.

Mr. BEVERIDGE. Out of order, I ask leave to report from the Committee on Territories the bill (S. 4424) to provide for the purchase of a site and the erection of a public building thereon at Nome, in the Territory of Alaska, and ask that it be referred, with the accompanying papers, to the Committee on Public Buildings and Grounds.

The PRESIDENT pro tempore. The Senator from Indiana asks that the Committee on Territories be discharged from the further consideration of the bill.

Mr. QUAY. I do not understand that the committee is to be discharged. On this occasion I am opposed to discharging the Committee on Territories. My understanding is that the committee reports the bill favorably, and asks that it be committed to the Committee on Public Buildings and Grounds. Am I in error about that?

Mr. BEVERIDGE. No; the Senator is entirely correct; but I thought when it was suggested that the Committee on Territories be discharged and that the bill be referred to the Committee on Public Buildings and Grounds that that, of course, was discharging the Committee on Territories; but the action of the Committee on Territories is a favorable report on the bill with a request for its reference, with the accompanying papers, to the Committee on Public Buildings and Grounds. I thought that in itself operated as a discharge of the committee.

The PRESIDENT pro tempore. The Senator from Indiana, from the Committee on Territories, reports the bill, the title of which he has stated, and asks that it be referred to the Committee on Public Buildings and Grounds.

Mr. BEVERIDGE. That is correct, Mr. President.

The PRESIDENT pro tempore. In the absence of objection, that order will be made.

ORDER OF BUSINESS.

Mr. CULLOM. If the Senator from New Hampshire [Mr. GALLINGER] who has charge of the pension bills will yield to me, I will move that the Senate proceed to the consideration of executive business. We shall only be in executive session for a very few minutes.

Mr. HOAR. I ask what was the unanimous-consent agreement for this hour, if any?

The PRESIDENT pro tempore. That at 5 o'clock unobjected pension cases on the Calendar should receive consideration.

Mr. GALLINGER. With the understanding that the executive session will take but a minute, I yield.

Mr. CULLOM. It will take but a minute, I think. I am not at liberty to explain in open session why it is that I desire an executive session.

Mr. HOAR. Mr. President, where there has been a unanimous-consent agreement that certain business shall occupy the Senate for an hour at a fixed time, it seems to me it is a violation of that unanimous-consent agreement to do any other business whatsoever.

Mr. CULLOM. I withdraw the motion.

Mr. HOAR. If the Senator will allow me, I was about to say that the understanding being that there is nothing contemplated

by the honorable Senator from Illinois, except a mere formality, no Senator would object, and I do not think that would be a practical violation of the agreement. I wish, therefore, to have it understood—

Mr. COCKRELL. Let us proceed with the regular order, and go into executive session when we get through with that.

Mr. HOAR. I think when a unanimous-consent agreement is made it is understood that it shall not exclude the transaction of mere formal business.

The PRESIDENT pro tempore. The first pension bill on the Calendar will be stated.

BENJAMIN F. CORNMAN.

The bill (S. 5526) granting an increase of pension to Benjamin F. Cornman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Cornman, late of Company A, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM A. NELSON.

The bill (H. R. 13233) granting a pension to William A. Nelson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William A. Nelson, late of Company A, Second Regiment New Jersey Volunteer Infantry, war with Spain.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WALTER G. TEBBETTS.

The bill (S. 6230) granting an increase of pension to Walter G. Tebbetts was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-two" and insert "fifty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Walter G. Tebbetts, late of Company I, First Regiment Illinois Volunteer Light Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FREDERICK S. WOODWARD.

The bill (S. 6437) granting a pension to Frederick S. Woodward was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out the letter "a," and in the same line, after the word "steward," to strike out "of the;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick S. Woodward, late hospital steward, United States Army, and pay him a pension at the rate of \$10 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM DIXON.

The bill (H. R. 2783) granting a pension to William Dixon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Dixon, late a scout and guide, United States Army, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN DOBERRER.

The bill (S. 4892) granting an increase of pension to John Doberrer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations

of the pension laws, the name of John Doberrer, late of Company K, Tenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DEBORAH EDWARDS.

The bill (S. 5053) granting a pension to Deborah Edwards was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Independent," to strike out "Regiment" and insert "Company;" and in line 9, before the word "dollars," to strike out "twenty" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Deborah Edwards, dependent stepmother of Samuel Edwards, late of the Fourth Independent Company, Ohio Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET A. OSBORN.

The bill (H. R. 1617) granting an increase of pension to Margaret A. Osborn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret A. Osborn, widow of Charles E. Osborn, late of Company A, First Regiment Kentucky Volunteer Infantry, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN A. SARE.

The bill (H. R. 3907) granting an increase of pension to John A. Sare was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John A. Sare, late of Company I, Twenty-second Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ABSALOM CASE.

The bill (H. R. 4437) granting an increase of pension to Absalom Case was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Absalom Case, late of Company F, Twenty-ninth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. COVEY.

The bill (H. R. 8175) granting an increase of pension to John W. Covey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Covey, late of Company F, Fourth Regiment Indiana Volunteer Cavalry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY J. FELTUS.

The bill (H. R. 11280) granting an increase of pension to Henry J. Feltus was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to insert "first lieutenant and;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry J. Feltus, late first lieutenant and adjutant Thirtieth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MILTON NOAKES.

The bill (H. R. 12701) granting an increase of pension to Milton Noakes was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Milton Noakes, late of Company C, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

JAMES M. SPENCER.

The bill (H. R. 13262) granting an increase of pension to James M. Spencer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Spencer, late principal musician Fifty-seventh Regiment Indiana Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIET ROBINSON.

The bill (H. R. 14262) granting an increase of pension to Harriet Robinson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet Robinson, widow of George Robinson, late of Company C, One hundred and ninth Regiment United States Colored Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISRAEL F. BARNES.

The bill (S. 2596) granting an increase of pension to Israel F. Barnes was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Israel F. Barnes, late of Company D, Twenty-sixth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HAROLD P. WALDO.

The bill (S. 6413) granting an increase of pension to Harold P. Waldo was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Infantry," to insert "war with Spain;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harold P. Waldo, late of Company B, Tenth Regiment Ohio Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNIE P. PINNEY.

The bill (S. 5006) granting a pension to Annie P. Pinney was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie P. Pinney, widow of John W. Pinney, late of Company H, Twenty-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$8 per month, such pension to cease upon proof that the soldier, John W. Pinney, is living.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANN M. HASKELL.

The bill (S. 6748) granting an increase of pension to Ann M. Haskell was considered as in Committee of the Whole.



The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ann M. Haskell, widow of Isaac Haskell, late of Company E, Twenty-third Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HANNAH J. HOPKINS.

The bill (S. 6795) granting an increase of pension to Hannah J. G. Hopkins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "Hopkins," to strike out the letter "G;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannah J. Hopkins, widow of Horace L. Hopkins, late acting assistant paymaster, United States Navy, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Hannah J. Hopkins."

FRANK CLEAVES.

The bill (S. 6632) granting an increase of pension to Frank Cleaves was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank Cleaves, late of Company I, First Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OTHNIEL P. PARCHER.

The bill (S. 6586) granting an increase of pension to Othniel P. Parcher was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Battery," to insert "(C);" and in line 7, before the word "Light," to insert "Volunteer;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Othniel P. Parcher, late of the Third Battery (C), First Regiment Maine Volunteer Light Artillery, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MITCHELL HUNT.

The bill (S. 6631) granting an increase of pension to Mitchell Hunt was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mitchell Hunt, late of Company H, Second Regiment United States Volunteer Sharpshooters, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET A. MUNSON.

The bill (S. 2130) granting a pension to Margaret A. Munson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Connecticut," to insert

"Regiment;" and in line 8, after the word "Infantry," to insert "and pay her a pension at the rate of \$12 per month;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret A. Munson, widow of John A. Munson, late of Company D, Twenty-seventh Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE F. HOWE.

The bill (S. 14) granting a pension to George F. Howe was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George F. Howe, alias Harrington, late of Company L, Second Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to George F. Howe, alias Harrington."

STEPHEN R. SWETT.

The bill (S. 6842) granting an increase of pension to Stephen R. Swett was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of Stephen R. Swett, late major, Second Battalion, First Regiment Rhode Island Volunteer Cavalry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES F. SHELDON.

The bill (S. 6798) granting an increase of pension to Charles F. Sheldon was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles F. Sheldon, late of Company A, Twelfth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW J. REEVES.

The bill (H. R. 5792) granting an increase of pension to Andrew J. Reeves was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of Andrew J. Reeves, late of Company E, First Regiment Maine Volunteer Heavy Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS E. WILCOX.

The bill (H. R. 13472) granting an increase of pension to Lewis E. Wilcox was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of Lewis E. Wilcox, late principal musician Twenty-first Regiment Michigan Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NANCY WORKS.

The bill (H. R. 13127) granting a pension to Nancy Works was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of Nancy Works, widow of Preston Works, late of Company D, Eighteenth Regiment Kentucky Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH A. WALTRIP.

The bill (H. R. 12981) granting a pension to Sarah A. Waltrip was considered as in Committee of the Whole. It proposes to

place on the pension roll the name of Sarah A. Waltrip, widow of James E. Waltrip, late of Company K, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN WRIGHT.

The bill (H. R. 15549) granting an increase of pension to John Wright was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Wright, late of Company D, One hundred and twentieth Regiment New York Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM MONTGOMERY.

The bill (H. R. 16224) granting an increase of pension to William Montgomery was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Company," to strike out the letter "H" and insert "C;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Montgomery, late second lieutenant Company C, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM R. THOMPSON.

The bill (H. R. 15063) granting an increase of pension to William R. Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William R. Thompson, late of Company B, Second Regiment Minnesota Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REBECCA R. GREER.

The bill (H. R. 15874) granting an increase of pension to Rebecca R. Greer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rebecca R. Greer, widow of Allen Greer, late first lieutenant Company A, Thirty-second Regiment Iowa Volunteer Infantry, and to pay her a pension of \$17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM HEYWOOD.

The bill (H. R. 15433) granting an increase of pension to William Heywood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Heywood, late of Company I, Fifteenth Regiment New Hampshire Volunteer Infantry, and Company G, Nineteenth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT BLOOD.

The bill (H. R. 14185) granting an increase of pension to Albert Blood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert Blood, late of Company H, Third Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JARED P. HUBBARD.

The bill (H. R. 15682) granting an increase of pension to Jared P. Hubbard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jared P. Hubbard, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSIAH STACKPOLE.

The bill (H. R. 15441) granting an increase of pension to Josiah Stackpole was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Josiah Stackpole,

late of Company K, Seventh Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OTIS T. HOOPER.

The bill (H. R. 12812) granting an increase of pension to Otis T. Hooper was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Otis T. Hooper, late of Company E, Second Regiment Maine Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH L. BATES.

The bill (H. R. 12683) granting a pension to Sarah L. Bates was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah L. Bates, widow of Joseph J. Bates, late of Company C, First Battalion Massachusetts Volunteer Heavy Artillery, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M'ARTHUR.

The bill (H. R. 8447) granting an increase of pension to John McArthur was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John McArthur, late colonel Twelfth Regiment Illinois Volunteer Infantry, and brigadier-general, United States Volunteers, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES N. GATES.

The bill (H. R. 12877) granting an increase of pension to James N. Gates was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James N. Gates, late of Company F, Thirteenth Regiment Vermont Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALVIRA RANDALL.

The bill (S. 4429) granting a pension to Alvira Randall was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "Wisconsin," to insert "Regiment;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alvira Randall, dependent stepmother of John H. McJunkin, late of Company D, Thirty-sixth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GILBERT E. BUSHNELL.

The bill (S. 6623) granting an increase of pension to Gilbert E. Bushnell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to strike out "Infantry" and insert "Cavalry;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Gilbert E. Bushnell, late of Company G, Fourth Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES GRAHAM.

The bill (S. 6668) granting an increase of pension to Charles Graham was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Graham, late of Company I, Eighty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.



The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARTIN G. CUSHING.

The bill (S. 6845) granting an increase of pension to Martin G. Cushing was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "first lieutenant;" in line 7, before the word "Cavalry," to insert "Volunteer;" and in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martin G. Cushing, late first lieutenant Company H, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROSE O. CRUMMETT.

The bill (S. 2302) granting a pension to Rose Crummett was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rose O. Crummett, widow of George E. Crummett, late of Company D, Sixteenth Regiment New Hampshire Volunteer Infantry, and second lieutenant Company L, First Regiment New Hampshire Volunteer Heavy Artillery, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Rose O. Crummett."

MARY J. PARKER.

The bill (S. 4029) granting a pension to Mary J. Parker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary J. Parker, former widow of John W. Taylor, late of Company F, First Regiment United States Infantry, war with Mexico, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMMA R. CROPSY.

The bill (S. 5563) granting an increase of pension to Emma R. Cropsey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma R. Cropsey, widow of Andrew J. Cropsey, late lieutenant-colonel One hundred and twenty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HESTER A. R. LANDERS.

The bill (S. 6096) granting an increase of pension to Hester A. R. Landers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hester A. R. Landers, widow of Thomas Landers, late medical cadet, United States Army, and assistant surgeon, Tenth Regiment United States Colored Volunteer Heavy Artillery, and pay her a pension at the rate of \$15 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES B. TAYLOR.

The bill (S. 6305) granting an increase of pension to James B. Taylor was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "sergeant," and in line 8, before the word "dollars," to strike out "forty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James B. Taylor, late of Company A, Eighty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRIETTA V. WEST.

The bill (S. 6703) to restore to the pension roll the name of Henrietta V. West was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henrietta V. West, widow of Francis West, late acting assistant surgeon, United States Army, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Henrietta V. West."

JAMES W. MESSICK.

The bill (H. R. 5007) granting an increase of pension to James W. Messick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Messick, late of Company E, Second Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DENNIS F. ANDRE.

The bill (H. R. 11694) granting an increase of pension to Dennis F. Andre was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Dennis F. Andre, late of Company F, Twenty-seventh Regiment Ohio Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY M. POSEY.

The bill (H. R. 12215) granting an increase of pension to Henry M. Posey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry M. Posey, late of Company B, Fourteenth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES T. JACKSON.

The bill (H. R. 15229) granting a pension to James T. Jackson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James T. Jackson, late of Company D, Thirty-sixth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ABNER M. JUDKINS.

The bill (H. R. 15729) granting an increase of pension to Abner M. Judkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abner M. Judkins, late of Eighth Battery Wisconsin Volunteer Light Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AUGUSTUS BLOUNT.

The bill (H. R. 11339) granting a pension to Augustus Blount was considered as in Committee of the Whole. It proposes to

place on the pension roll the name of Augustus Blount, dependent father of Alfred Blount, late of Company C, Thirty-fifth Regiment United States Colored Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARIA M. C. SMITH.

The bill (H. R. 9611) granting a pension to Maria M. C. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Maria M. C. Smith, widow of Charles H. Smith, late assistant surgeon, United States Army, war with Mexico, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES M. BLADES.

The bill (H. R. 5718) granting an increase of pension to James M. Blades was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Blades, late first lieutenant Company A, Sixth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LYMAN MATTHEWS.

The bill (S. 1128) granting an increase of pension to Lyman Matthews was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lyman Matthews, late of Company E, Ninth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMMETT C. HILL.

The bill (S. 4807) granting an increase of pension to Emmett C. Hill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emmett C. Hill, late hospital steward, One hundred and seventeenth Regiment Illinois Volunteer Infantry, and United States Army, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Emmett C. Hill."

BENJAMIN N. BOND.

The bill (S. 6731) granting an increase of pension to Benjamin N. Bond was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "forty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin N. Bond, late surgeon, Twenty-seventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEMAN A. BRACE.

The bill (S. 3929) granting an increase of pension to L. A. Brace was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of," to strike out the letter "L." and insert "Leman;" and in line 8, before the word "dollars," to strike out "twenty" and insert "seventeen;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Leman A. Brace, late of Com-

pany K, Twenty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Leman A. Brace."

ORSON NICKERSON.

The bill (S. 6063) granting an increase of pension to Orson Nickerson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Infantry," to insert "war with Mexico;" and in line 10, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Orson Nickerson, late of Company K, Fourth Regiment United States Infantry, war with Mexico, and Company K, One hundred and sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SOPHIE S. SHAFFER.

The bill (S. 6641) granting an increase of pension Sophie S. Shaffer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "late," to strike out "colonel" and insert "lieutenant-colonel;" and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sophie S. Shaffer, widow of William F. Shaffer, late lieutenant-colonel Second Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES GREENMAN.

The bill (S. 6431) granting an increase of pension to James Greenman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Greenman,

late of Company K, Second Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DAVID C. YAKLEY.

The bill (H. R. 7680) granting an increase of pension to David C. Yakley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David C. Yakley, late of Company A, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM ZICKERICK.

The bill (H. R. 12413) granting an increase of pension to William Zickerick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Zickerick, late captain, Twelfth Battery Wisconsin Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M. DRAKE.

The bill (S. 1939) granting an increase of pension to John M. Drake was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "captain," and in line 8, before the word "and," to insert "and lieutenant-colonel First Regiment Oregon Volunteer Infantry;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions



and limitations of the pension laws, the name of John M. Drake, late captain Company D, First Regiment Oregon Volunteer Cavalry, and lieutenant-colonel First Regiment Oregon Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN HAMILTON, SECOND.

The bill (S. 4760) granting an increase of pension to John Hamilton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Hamilton, second, late of Battery A, Maryland Junior Volunteer Light Artillery, and Company E, Sixth Regiment United States Cavalry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JESSE A. McINTOSH.

The bill (H. R. 13955) granting an increase of pension to Jesse A. McIntosh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jesse A. McIntosh, late of Company B, First Regiment Illinois Volunteer Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HELEN N. PACKARD.

The bill (H. R. 14265) granting an increase of pension to Helen N. Packard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Helen N. Packard, widow of John A. A. Packard, late second lieutenant Company I, Fifth Regiment Maine Volunteer Infantry, and to pay her a pension of \$15 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REGINA F. PALMER.

The bill (H. R. 14751) granting an increase of pension to Regina F. Palmer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Regina F. Palmer, widow of Wilson P. Palmer, late captain Company G, Two hundred and tenth Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALICE A. FITCH.

The bill (H. R. 9776) granting an increase of pension to Alice A. Fitch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alice A. Fitch, widow of Ezra Fitch, late major, First Regiment Arkansas Volunteer Cavalry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. BANKS HUNTER.

The bill (H. R. 10219) granting an increase of pension to J. Banks Hunter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of J. Banks Hunter, late of United States Signal Corps, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED J. SELLERS.

The bill (H. R. 15385) granting an increase of pension to Alfred J. Sellers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred J. Sellers, late major, Ninetieth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM THOMPSON.

The bill (H. R. 15416) granting an increase of pension to William Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William

Thompson, late of Company D, Second Regiment Pennsylvania Reserve Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW J. PENNEL.

The bill (S. 2256) granting an increase of pension to Andrew J. Pennel was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. Pennel, late of Company F, Ninety-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. SHAW.

The bill (S. 3542) granting an increase of pension to William H. Shaw was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Shaw, late of Company H, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM KIRKPATRICK.

The bill (S. 5932) granting an increase of pension to William Kirkpatrick was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Kirkpatrick, late of Company D, Forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JARROT F. RIGG.

The bill (S. 5507) granting an increase of pension to Jarratt F. Rigg was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "of" where it occurs the first time, to strike out the name "Jarratt" and insert "Jarrot;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jarrot F. Rigg, late of Company H, Thirteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Jarrot F. Rigg."

SAMUEL J. BOYER.

The bill (S. 2974) granting an increase of pension to Samuel J. Boyer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "forty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel J. Boyer, late of Company G, Nineteenth Regiment United States Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES M'MORROW.

The bill (S. 5123) granting an increase of pension to James McMorro was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James McMorro, late of Company E, Fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM BARRETT.

The bill (S. 5991) granting an increase of pension to William Barrett was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Barrett, late of Company C, First Regiment Indiana Volunteer Infantry, war with Mexico, and Company I, Fifteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AUSTIN L. TOPLIFF.

The bill (S. 6530) granting an increase of pension to Austin L. Topliff was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Austin L. Topliff, late of Company K, One hundred and twelfth Regiment New York Volunteer Infantry, and sergeant-major Thirty-fifth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Austin L. Topliff."

JOSEPH WESTBROOK.

The bill (H. R. 8721) granting an increase of pension to Joseph Westbrook was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Westbrook, late of Company I, Forty-first Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JULIA M'CARTHY.

The bill (H. R. 11485) granting a pension to Julia McCarthy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Julia McCarthy, widow of Timothy McCarthy, late of Company G, Sixth Regiment United States Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH D. LOCKHART.

The bill (S. 6373) granting an increase of pension to Joseph D. Lockhart was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "war," to strike out "Mexican;" in the same line, before the word "and," to insert "with Mexico;" and in line 8, before the word "dollars," to strike out "fifty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph D. Lockhart, late of Company D, Third Regiment Tennessee Volunteer Infantry, war with Mexico,

and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BURREL G. WOOD.

The bill (S. 6694) granting an increase of pension to Burrel G. Wood was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "war," to strike out "Mexican;" in the same line, before the word "and," to insert "with Mexico;" and in line 8, before the word "dollars," to strike out "thirty" and insert "sixteen;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Burrel G. Wood, late of Company H, Third Regiment Kentucky Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUSAN KENNEDY.

The bill (H. R. 623) granting a pension to Susan Kennedy was considered as in Committee of the Whole.

The bill had been reported from the Committee on Pensions with an amendment, in line 5, before the word "to," to strike out "otherwise;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan Kennedy, widow of Thomas Kennedy, late of Captain Beauchamp's company, Alabama Volunteers, Creek Indian war, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM H. LOYD.

The bill (H. R. 14373) granting an increase of pension to William H. Loyd was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Loyd, late of Company A, First Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANN M. MORRISON.

The bill (H. R. 14913) granting an increase of pension to Ann M. Morrison, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ann M. Morrison, widow of William A. Morrison, late of Company K, First Regiment Alabama Volunteer Infantry, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY E. CRAIG.

The bill (S. 5967) granting an increase of pension to Mary E. Craig was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Craig, widow of William Craig, late captain and assistant quartermaster, United States Army, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PHINEAS L. SQUIRES.

The bill (S. 4544) granting an increase of pension to Phineas L. Squires was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions



and limitations of the pension laws, the name of Phineas L. Squires, late of Company B, Sixth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE DAVIS.

The bill (S. 4379) granting an increase of pension to George Davis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Davis, late of Company A, Seventy-eighth Regiment United States Colored Volunteer Infantry, and Company F, Ninth Regiment United States Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES W. SCHERZER.

The bill (S. 3249) granting an increase of pension to Charles W. Scherzer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. Scherzer, late of Company F, Fourteenth Regiment United States Infantry, and Company M, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEMUEL KINGSBURY.

The bill (S. 4087) granting a pension to Lemuel Kingsbury, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lemuel Kingsbury, late unassigned, Fifteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES B. GREELY.

The bill (H. R. 13200) granting an increase of pension to Charles B. Greely was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles B. Greely, late of the U. S. steamships *Ohio* and *Rhode Island*, United States Navy, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDMUND P. FOX.

The bill (S. 6367) granting an increase of pension to Edmund P. Fox was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edmund P. Fox, late of Company H, Sixteenth Regiment New Hampshire Volunteer Infantry, and Company D, Eighteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE H. STONE.

The bill (H. R. 15396) granting an increase of pension to George H. Stone was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George H. Stone, late of Company B, Sixteenth Regiment Maine Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MORTON A. LEACH.

The bill (H. R. 16011) granting an increase of pension to Morton A. Leach was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Morton A. Leach, late of Company I, First Regiment New York Veteran Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN HUFFMAN.

The bill (H. R. 7766) granting an increase of pension to John Huffman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Huffman, late of Company F, Nineteenth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CORA E. BROWN.

The bill (H. R. 12324) granting a pension to Cora E. Brown was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "helpless," to strike out "the;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cora E. Brown, helpless and dependent daughter of James S. Brown, late of Company F, Thirteenth Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LESTER H. SALSBUARY.

The bill (H. R. 15648) granting an increase of pension to Lester H. Salsbury was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lester H. Salsbury, late of Company B, Fourth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS FISHBAUGH.

The bill (H. R. 10757) granting an increase of pension to Lewis Fishbaugh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lewis Fishbaugh, late of Company E, Seventy-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HIRAM A. HOBER.

The bill (H. R. 13463) granting an increase of pension to Hiram A. Hober was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hiram A. Hober, late of the Twelfth Independent Battery, New York Volunteer Light Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET ANN WEST.

The bill (H. R. 13944) granting a pension to Margaret Ann West was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "pension," to strike out "as" and insert "at;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Ann West, late nurse, Medical Department, United States Volunteers, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GEORGE THOMPSON.

The bill (H. R. 13353) granting an increase of pension to George Thompson was considered as in Committee of the Whole. It

proposes to place on the pension roll the name of George Thompson, late of Company C, Sixteenth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MATILDA A. MARSHALL.

The bill (H. R. 15112) granting a pension to Matilda A. Marshall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Matilda A. Marshall, widow of D. Frank Marshall, late of Company K, Second Regiment Michigan Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALONZO F. CANFIELD.

The bill (H. R. 15114) granting an increase of pension to Alonzo F. Canfield was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alonzo F. Canfield, late of Company B, Second Regiment Michigan Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN MURPHY.

The bill (H. R. 15113) granting an increase of pension to John Murphy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Murphy, late of Company C, First Regiment Maine Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LYMAN A. L. GILBERT.

The bill (H. R. 13997) granting an increase of pension to Lyman A. L. Gilbert was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lyman A. L. Gilbert, late of Company H, Seventh Regiment Michigan Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. WHIDDEN.

The bill (H. R. 14273) granting a pension to John H. Whidden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John H. Whidden, late of Company A, Second Regiment Florida Volunteer Cavalry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSIAH S. FAY.

The bill (H. R. 10826) granting an increase of pension to Josiah S. Fay was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Josiah S. Fay, late acting third assistant engineer, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

REBECCA L. CHAMBERS.

The bill (H. R. 14836) granting a pension to Rebecca L. Chambers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rebecca L. Chambers, widow of William B. Chambers, late of Company B, Sixth Regiment Tennessee Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM L. WHETSELL.

The bill (H. R. 4923) granting a pension to William L. Whetsell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an

amendment, in line 8, before the word "dollars," to strike out "twelve" and insert "eight;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William L. Whetsell, late of Company H, Second Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GEORGE CUMMINGS.

The bill (S. 6985) granting an increase of pension to George Cummings was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Cummings, late of Company H, Ninth and Sixth regiments New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARIA A. MARDEN.

The bill (S. 6984) granting an increase of pension to Maria A. Marden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Maria A. Marden, widow of William C. Marden, late of Company E, Sixteenth Regiment New Hampshire Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LINDA F. MOULTON.

The bill (S. 6982) granting an increase of pension to Linda F. Moulton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Linda F. Moulton, widow of William H. Moulton, late of Company I, First Regiment Rhode Island Volunteer Cavalry, and first lieutenant and regimental commissary, First Regiment New Hampshire Volunteer Cavalry, and to pay her a pension of \$17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LORENZO P. DUNCKLEE.

The bill (S. 6981) granting an increase of pension to Lorenzo P. Duncklee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lorenzo P. Duncklee, late of Company C, Fourth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BENJAMIN COOPER.

The bill (H. R. 15789) granting an increase of pension to Benjamin Cooper was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin Cooper, late of Company I, Second Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JESSIE R. DEWSTOE.

The bill (H. R. 14256) granting an increase of pension to Jessie R. Dewstoe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jessie R. Dewstoe, widow of Gerritt S. Dewstoe, late of Company C, Sixth Regiment Michigan Volunteer Cavalry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY G. WHEELER.

The bill (H. R. 3302) granting an increase of pension to Henry G. Wheeler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry G. Wheeler, late of Company I, Forty-eighth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NANCY A. KILLOUGH.

The bill (H. R. 7815) granting a pension to Nancy A. Killough was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an



amendment, in line 8, before the word "dollars," to strike out "twelve" and insert "eight;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy A. Killough, widow of John H. Killough, late of Company D, Thirty-third Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ANDREW W. MILLER.

The bill (H. R. 15398) granting an increase of pension to Andrew W. Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew W. Miller, late of Company K, Second Regiment Illinois Volunteer Light Artillery, and to pay him a pension of \$22 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REBECCA PIPER.

The bill (H. R. 10350) granting a pension to Rebecca Piper was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rebecca Piper, foster mother of Simpson Eaton, late of Company I, Eighteenth Regiment Kentucky Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH LOWDEN.

The bill (H. R. 7130) granting a pension to Elizabeth Lowden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Lowden, the former widow of Henry A. Lowden, late of Company G, Fifty-second Regiment Indiana Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH THOMPSON.

The bill (S. 4337) granting an increase of pension to Elizabeth Thompson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Thompson, widow of Matthew Thompson, late of Company K, Seventh Regiment Maine Volunteer Infantry, and Company K, First Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL J. RADCLIFFE.

The bill (S. 6415) granting an increase of pension to Samuel J. Radcliffe was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel J. Radcliffe, late surgeon and brevet lieutenant-colonel, United States Volunteers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Samuel J. Radcliffe."

CHARLES S. BOYINGTON.

The bill (S. 6841) granting an increase of pension to Charles S. Boyington was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles S. Boyington, late of Company F, One hundred and forty-second Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANN M. JACKMAN.

The bill (S. 7060) granting an increase of pension to Ann M. Jackman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ann M. Jackman, widow of Edward G. Jackman, late of Company A, Eighteenth Regiment New Hampshire Volunteer Infantry, and to pay her a pension of \$24 per month in lieu of that she is now receiving. But in the event of the death of Fred B. Jackman, invalid and dependent child of Edward G. Jackman, the additional pension herein granted shall cease and determine.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ESTHER G. WHARTON.

The bill (S. 3152) granting a pension to Esther G. Wharton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Esther G. Wharton, widow of George W. Wharton, late of Companies L and I, Tenth Regiment United States Cavalry, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Esther G. Wharton."

JOHN KELLEY.

The bill (H. R. 7385) granting an increase of pension to John Kelley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Kelley, 2d, late of Company F, Sixth Regiment Vermont Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM F. LOOMIS.

The bill (H. R. 15999) granting an increase of pension to William F. Loomis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William F. Loomis, late of First and Second batteries Vermont Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINOR CHILDREN OF DANIEL J. REEDY.

The bill (H. R. 11197) granting a pension to the minor children of Daniel J. Reedy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the names of Daniel J. Reedy and Annie T. Reedy, minor children of Daniel J. Reedy, late chief machinist, United States Navy, and pay them jointly a pension at the rate of \$12 per month, and \$2 per month additional on account of each of said children until they reach the age of 16 years, from which date the pension of Annie T. Reedy, helpless and dependent child of said Daniel J. Reedy, shall continue at the rate of \$12 per month during the period of her helplessness.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SARAH C. MERRELL.

The bill (S. 7003) granting an increase of pension to Sarah C. Merrell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah C. Merrell, widow of Micah R. Merrell, late first lieutenant Company C, Tenth Regiment Minnesota Volunteer Infantry, and to pay her a pension of \$17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SARAH J. SNOOK.

The bill (S. 2259) granting a pension to Sarah J. Snook was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah J. Snook, widow of John Snook, late

of Company H, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISRAEL V. HOAG.

The bill (S. 2799) granting an increase of pension to Israel V. Hoag was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Israel V. Hoag, late of Captain Palmer's Independent Company, Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ARCHIBALD M'INTIRE.

The bill (S. 4466) granting a pension to Archibald McIntire was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Archibald McIntire, late of Company H, Fifth Regiment California Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Archibald McIntire."

WILLIAM A. DOUGAN.

The bill (S. 6563) granting an increase of pension to William A. Dougan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "private;" and in line 7, after the words "New York," to strike out "Volunteers" and insert "Volunteer Infantry;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William A. Dougan, late of Company E, Ninety-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CAROLINE FITZSIMMONS.

The bill (H. R. 629) granting a pension to Caroline Fitzsimmons was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Caroline Fitzsimmons, widow of Paul J. Fitzsimmons, late of Company I, One hundred and sixty-fourth Regiment New York Volunteer Infantry, and to pay her a pension of \$8 per month, such pension, however, to cease and terminate upon proof that said soldier be still living.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN D. BINFORD.

The bill (H. R. 9153) granting an increase of pension to John D. Binford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John D. Binford, late of Company C, Second Regiment Iowa Volunteer Cavalry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY THOMAS.

The bill (H. R. 10214) granting an increase of pension to Henry Thomas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Thomas, late of Company G, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL P. MARSHALL.

The bill (H. R. 15069) granting an increase of pension to Daniel P. Marshall was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel P. Marshall, late of Company D, Eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM BELK.

The bill (H. R. 7779) granting an increase of pension to William Belk was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Belk, late of Company I, Sixteenth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS M. M'COY.

The bill (H. R. 8247) granting an increase of pension to Francis M. McCoy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis M. McCoy, late of Company H, Thirty-eighth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN P. PETERMAN.

The bill (H. R. 9734) granting an increase of pension to John P. Peterman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John P. Peterman, late of Company K, Fifth Regiment Indiana Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. B. HUNTSMAN.

The bill (H. R. 13839) granting an increase of pension to John W. B. Huntsman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. B. Huntsman, late of Company C, Ninth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT STEWART.

The bill (H. R. 9658) granting an increase of pension to Robert Stewart was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert Stewart, late of Company C, Forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

HORACE FOUNTAIN.

The bill (H. R. 12563) granting an increase of pension to Horace Fountain was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horace Fountain, late of Company K, Seventy-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.



The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM S. HUTCHINSON.

The bill (H. R. 8152) granting an increase of pension to William S. Hutchinson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Volunteer," to strike out "Infantry" and insert "Cavalry;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William S. Hutchinson, late second lieutenant Company D, Seventeenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. GALLINGER. There are two or three pension bills which were reported this morning. I ask that they may be considered. They are on the table.

CYRUS B. NORRIS.

The bill (S. 7077) granting an increase of pension to Cyrus B. Norris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cyrus B. Norris, late of Company E, Ninth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JULIA LEE.

The bill (H. R. 12902) granting a pension to Julia Lee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Julia Lee, mother of George D. Lee, late of Company B, Eleventh Regiment United States Infantry, war with Spain, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. ROBERTS.

The bill (H. R. 14837) granting a pension to John H. Roberts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John H. Roberts, late of Company B, Sixth Regiment Tennessee Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CENTRAL ARIZONA RAILWAY.

Mr. BURTON. Mr. President, I wish to ask unanimous consent to call up Senate bill 6968.

Mr. KEAN. I do not think we can transact any legislative business except pension bills this evening. I do not know what bill the Senator wishes to call up.

Mr. BURTON. I do not think the Senator will make any objection.

Mr. KEAN. I do not object, only I do not think it comes under the unanimous-consent agreement. I do not think we can do it.

Mr. BURTON. I ask unanimous consent. I have here a letter from the Secretary of the Interior, stating that the bill is entirely satisfactory. I did not have the letter the other day, and I can not call up the bill on Monday. I do not think the Senator from New Jersey ought to ask to have the matter go over, especially since Congress has passed a similar bill. I have in my hand a letter from the Secretary of the Interior stating that the bill is entirely satisfactory to the Department.

Mr. KEAN. Personally I know nothing about the bill the Senator from Kansas desires to call up, but I think the understanding was that there should be nothing but pension legislation after 5 o'clock.

Mr. BURTON. Mr. President, I did not take up the time of the Senate to-day when other Senators were calling up bills by unanimous consent, and unless the Senator is willing to allow the bill to come up by unanimous consent, I shall make a motion to consider it at this time.

The PRESIDENT pro tempore. The bill was before the Senate the other day and read in full.

Mr. KEAN. I shall have to object, Mr. President.

Mr. BURTON. I move that the Senate proceed to the consideration of Senate bill 6968.

Mr. COCKRELL. I hope the Senator will not do that.

Mr. BURTON. The objection is captious. The Senator understands very well that on Monday I can not call up the bill.

Mr. COCKRELL. There will be plenty of time afterwards.

Mr. BURTON. No; I insist upon it. I have not asked this privilege of the Senate heretofore. Objection was made the other day because I did not have a letter from the Secretary of the Interior, and I have it here now. The bill is entirely satisfactory to the Department.

The PRESIDENT pro tempore. The Senator from Kansas moves that the Senate proceed to the consideration of the following bill.

The SECRETARY. A bill (S. 6968) granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve, in the Territory of Arizona.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Kansas.

Mr. HOAR. Mr. President, I desire to ask what was the unanimous consent which was given to the Senator from New Hampshire [Mr. GALLINGER]?

The PRESIDENT pro tempore. It was that unobjected pension bills should be taken up at 5 o'clock, and that consideration should be given to them for one hour.

Mr. GALLINGER. Unless sooner disposed of.

Mr. HOAR. I have not the least objection to the Senator's bill, but I have a very strong feeling about the observance of unanimous-consent agreements.

Mr. CULLOM. Mr. President—

Mr. HOAR. I rise to a parliamentary inquiry. Was it the unanimous-consent agreement that there should be no other business taken up this afternoon?

The PRESIDENT pro tempore. It was not.

Mr. MORGAN and others. No.

Mr. HOAR. I was so informed when I asked the question before.

Mr. CULLOM. When the Senator made the point of order at the beginning I thought there was force in it, and therefore I withdrew my motion, but it did not interfere with the unanimous-consent agreement.

Mr. HOAR. I did not make a point of order. I put the question simply.

The PRESIDENT pro tempore. There was no such unanimous-consent agreement.

Mr. HOAR. Very well; then I have nothing to say about it one way or the other. I do not say anything about the Senator's bill. I merely wished to know what the unanimous-consent agreement was. If that be observed, it is all I insist upon.

The PRESIDENT pro tempore. The unanimous-consent agreement has been observed. The order under it has been completed and the Senator from Kansas moves that the Senate proceed to the consideration of the bill which has been read by title. The question is on agreeing to the motion of the Senator from Kansas.

The motion was agreed to.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole. It has been read.

Mr. COCKRELL. Let it be read again. I do not remember anything about it.

Mr. BURTON. Here is the letter from the Secretary of the Interior, if the Senator will allow it to be read. It is very short.

Mr. COCKRELL. Let the letter be read.

Mr. BURTON. All right.

The PRESIDENT pro tempore. The Secretary will read the letter.

Mr. CULLOM. I hope the Senator from Kansas will not insist upon the further consideration of this bill under the circumstances.

Mr. BURTON. Under the advice of older Senators here—

Mr. CULLOM. I am very anxious to accommodate the Senator, but I think under the circumstances he should not press the bill.

Mr. BURTON. And I know two of them, at least, are my friends, I wish to withdraw the bill for the present from consideration.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed with the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 6 o'clock and 13 minutes p. m.) the Senate adjourned until Monday, January 26, 1903, at 12 o'clock meridian.

## NOMINATIONS.

*Executive nominations received by the Senate January 24, 1903.*

ASSISTANT SECRETARY OF TREASURY.

Robert B. Armstrong, of Illinois, to be Assistant Secretary of the Treasury, to succeed Oliver L. Spaulding, resigned.

## SECRETARY OF HAWAII.

George R. Carter, of Hawaii, to be secretary of the Territory of Hawaii, vice Henry E. Cooper, resigned.

## RECEIVER OF PUBLIC MONEYS.

Sargent S. Morton, of California, to be receiver of public moneys at San Francisco, Cal., his term having expired. (Reappointment.)

## APPOINTMENT IN THE ARMY—MEDICAL DEPARTMENT.

Robert Lewis Richards, of California, contract surgeon, United States Army, to be assistant surgeon with the rank of first lieutenant, January 22, 1903, to fill an original vacancy.

## PROMOTION IN THE NAVY.

Lieut. Joseph H. Rohrbacher, to be a lieutenant-commander in the Navy, from the 7th day of November, 1902, vice Lieut. Commander Henry Morrell, promoted, to correct an error in the name of this officer as submitted in the nomination transmitted on December 8, 1902.

## POSTMASTERS.

## ARIZONA.

Kasper Hauser, to be postmaster at Wilcox, in the county of Cochise and Territory of Arizona, in place of Samuel J. Geddes. Incumbent's commission expires February 14, 1903.

## CALIFORNIA.

Felix L. Grauss, to be postmaster at Calistoga, in the county of Napa and State of California, in place of Felix L. Grauss. Incumbent's commission expired January 17, 1903.

Edward G. Hall, to be postmaster at Healdsburg, in the county of Sonoma and State of California, in place of Edward G. Hall. Incumbent's commission expired January 17, 1903.

Frank B. Mackinder, to be postmaster at St. Helena, in the county of Napa and State of California, in place of Frank B. Mackinder. Incumbent's commission expired January 17, 1903.

## FLORIDA.

John H. Hibbard, to be postmaster at De Land, in the county of Volusia and State of Florida, in place of John H. Hibbard. Incumbent's commission expires February 6, 1903.

John M. Jolley, to be postmaster at Daytona, in the county of Volusia and State of Florida, in place of John M. Jolley. Incumbent's commission expires February 6, 1903.

## GEORGIA.

Samuel M. Davis, jr., to be postmaster at Calhoun, in the county of Gordon and State of Georgia. Office became Presidential January 1, 1903.

Edward Y. Swanson, to be postmaster at Monticello, in the county of Jasper and State of Georgia. Office became Presidential January 1, 1903.

## ILLINOIS.

William C. Heining, to be postmaster at Red Bud, in the county of Randolph and State of Illinois. Office became Presidential January 1, 1903.

Stacy W. Osgood, to be postmaster at Winnetka, in the county of Cook and State of Illinois, in place of Everett W. Osgood, resigned.

## IOWA.

William D. Burk, to be postmaster at Muscatine, in the county of Muscatine and State of Iowa, in place of William LeRoy Roach, resigned.

## KANSAS.

James S. Alexander, to be postmaster at Florence, in the county of Marion and State of Kansas, in place of David C. Battey, removed.

## LOUISIANA.

Romanta T. Hart, to be postmaster at Rayne, in the parish of Acadia and State of Louisiana. Office became Presidential January 1, 1903.

John W. Miller, to be postmaster at Alexandria, in the parish of Rapides and State of Louisiana, in place of Robert P. Hunter. Incumbent's commission expired January 10, 1903.

## MARYLAND.

Milton S. Lankford, to be postmaster at Princess Anne, in the county of Somerset and State of Maryland, in place of Milton S. Lankford. Incumbent's commission expires January 31, 1903.

Sewell M. Moore, to be postmaster at Cambridge, in the county of Dorchester and State of Maryland, in place of Sewell M. Moore. Incumbent's commission expires February 20, 1903.

William R. Reese, to be postmaster at Crisfield, in the county of Somerset and State of Maryland, in place of William R. Reese. Incumbent's commission expires January 31, 1903.

## MASSACHUSETTS.

James O. Hodges, to be postmaster at Mansfield, in the county of Bristol and State of Massachusetts, in place of James O. Hodges. Incumbent's commission expires January 27, 1903.

## MICHIGAN.

John F. Chisholm, to be postmaster at Grand Marais, in the county of Alger and State of Michigan, in place of John F. Chisholm. Incumbent's commission expires February 9, 1903.

Leonard W. Feighner, to be postmaster at Nashville, in the county of Barry and State of Michigan, in place of Leonard W. Feighner. Incumbent's commission expires January 27, 1903.

Earl B. Hammond, to be postmaster at Vermontville, in the county of Eaton and State of Michigan. Office became Presidential January 1, 1903.

Benjamin F. Oakes, to be postmaster at East Tawas, in the county of Iosco and State of Michigan, in place of Benjamin F. Oakes. Incumbent's commission expires January 27, 1903.

## MINNESOTA.

Christian A. Rasmussen, to be postmaster at Red Wing, in the county of Goodhue and State of Minnesota, in place of Christian A. Rasmussen. Incumbent's commission expires February 15, 1903.

Clark A. Wood, to be postmaster at Heron Lake, in the county of Jackson and State of Minnesota, in place of Clark A. Wood. Incumbent's commission expires January 27, 1903.

## MISSISSIPPI.

John W. Lockhart, to be postmaster at Durant, in the county of Holmes and State of Mississippi, in place of John W. Lockhart. Incumbent's commission expired January 10, 1903.

## MISSOURI.

Moses M. Adams, to be postmaster at Seneca, in the county of Newton and State of Missouri, in place of Moses M. Adams. Incumbent's commission expires February 10, 1903.

J. L. Fields, to be postmaster at Shelby, in the county of Shelby and State of Missouri, in place of Albert F. Huggins. Incumbent's commission expires January 28, 1903.

Thomas M. Morsey, to be postmaster at Warrenton, in the county of Warren and State of Missouri, in place of Thomas M. Morsey. Incumbent's commission expires February 10, 1903.

## NEBRASKA.

James N. Brooks, to be postmaster at Rushville, in the county of Sheridan and State of Nebraska, in place of James N. Brooks. Incumbent's commission expired January 19, 1903.

Stephen E. Cobb, to be postmaster at Emerson, in the county of Dixon and State of Nebraska. Office became Presidential January 1, 1903.

George A. Eckles, to be postmaster at Chadron, in the county of Dawes and State of Nebraska, in place of George A. Eckles. Incumbent's commission expires January 27, 1903.

William T. Owens, to be postmaster at Loup, in the county of Sherman and State of Nebraska. Office became Presidential January 1, 1903.

Frank R. Stewart, to be postmaster at Randolph, in the county of Cedar and State of Nebraska, in place of James L. Stewart, deceased.

## NEW YORK.

Gervas H. Kerr, to be postmaster at Pelham Manor, in the county of Westchester and State of New York. Office became Presidential January 1, 1903.

William B. Le Roy, to be postmaster at Cohoes, in the county of Albany and State of New York, in place of William B. Le Roy. Incumbent's commission expires February 10, 1903.

Charles S. Munger, to be postmaster at Herkimer, in the county of Herkimer and State of New York, in place of Charles S. Munger. Incumbent's commission expires January 28, 1903.

James E. Peck, to be postmaster at Jordan, in the county of Onondaga and State of New York, in place of J. D. Tullar. Incumbent's commission expired December 15, 1902.

Jetur R. Rogers, to be postmaster at Southampton, in the county of Suffolk and State of New York, in place of Jetur R. Rogers. Incumbent's commission expires February 15, 1903.

Benjamin L. Ward, to be postmaster at Cambridge, in the county of Washington and State of New York, in place of Benjamin L. Ward. Incumbent's commission expired January 13, 1903.

## NORTH CAROLINA.

Isaac M. Meekins, to be postmaster at Elizabeth City, in the county of Pasquotank and State of North Carolina, in place of Elizabeth C. Pool. Incumbent's commission expired January 19, 1903.

## OHIO.

John W. Ammerman, to be postmaster at Eaton, in the county of Preble and State of Ohio, in place of John W. Ammerman. Incumbent's commission expires January 24, 1903.

Joseph C. Bender, to be postmaster at National Military Home, in the county of Montgomery and State of Ohio, in place of Joseph C. Bender. Incumbent's commission expires January 24, 1903.

W. E. Moulton, to be postmaster at Canal Fulton, in the county of Stark and State of Ohio, in place of William G. Myers, deceased.



## PENNSYLVANIA.

Edward W. Hannum, to be postmaster at Swarthmore, in the county of Delaware and State of Pennsylvania, in place of Edward W. Hannum. Incumbent's commission expires February 14, 1903.

John G. McCamant, to be postmaster at Tyrone, in the county of Blair and State of Pennsylvania, in place of John G. McCamant. Incumbent's commission expires January 28, 1903.

## SOUTH DAKOTA.

Thomas B. Roberts, to be postmaster at Armour, in the county of Douglas and State of South Dakota, in place of Thomas B. Roberts. Incumbent's commission expired January 7, 1903.

John W. Walsh, to be postmaster at Montrose, in the county of McCook and State of South Dakota. Office became Presidential January 1, 1903.

## TEXAS.

William A. Stoner, to be postmaster at Waco, in the county of McLennan and State of Texas, in place of William A. Stoner. Incumbent's commission expired January 10, 1903.

## VIRGINIA.

William H. Boyenton, to be postmaster at Hampton, in the county of Elizabeth City and State of Virginia, in place of Elisha G. Darden, deceased.

## WASHINGTON.

F. A. Tarr, to be postmaster at Montesano, in the county of Chehalis and State of Washington, in place of Nellie E. Divilbiss. Incumbent's commission expired January 13, 1903.

## WISCONSIN.

Gustav A. Albrecht, to be postmaster at Plymouth, in the county of Sheboygan and State of Wisconsin, in place of Gustav A. Albrecht. Incumbent's commission expires January 28, 1903.

James T. Brownlee, to be postmaster at Mondovi, in the county of Buffalo and State of Wisconsin, in place of James T. Brownlee. Incumbent's commission expired January 19, 1903.

Hervey L. Coe, to be postmaster at Port Washington, in the county of Ozaukee and State of Wisconsin, in place of Hervey L. Coe. Incumbent's commission expires January 28, 1903.

George H. Dodge, to be postmaster at Arcadia, in the county of Trempealeau and State of Wisconsin, in place of George H. Dodge. Incumbent's commission expires February 13, 1903.

William H. Landolt, to be postmaster at Wauwatosa, in the county of Milwaukee and State of Wisconsin, in place of William H. Landolt. Incumbent's commission expires January 28, 1903.

Nicholas T. Martin, to be postmaster at Mineral Point, in the county of Iowa and State of Wisconsin, in place of Nicholas T. Martin. Incumbent's commission expires February 14, 1903.

## PANAMA CANAL.

The injunction of secrecy was removed January 26, 1903, from a convention between the United States and the Republic of Colombia for the construction of a ship canal, etc., to connect the waters of the Atlantic and Pacific oceans, signed January 22, 1903.

## HOUSE OF REPRESENTATIVES.

SATURDAY, January 24, 1903.

The House met at 12 o'clock m.

Prayer by the Rev. HAROLD M. RIDER, of Baltimore, Md., as follows:

Almighty God, we invoke Thy presence this day in Congress assembled. The final basis of all law and authority is in Thee. Thou art the Alpha, the beginning of all things; from Thee we came. Thou art the Omega, the ending of all things; to Thee we must go. Thou art the everliving God; in Thee we live and work and aspire. Give us such a sense of our responsibility to Thee that all legislation shall be wise, all administration just, all national and individual relations sympathetic.

In the performance of our duties may we receive guidance and inspiration from Thee.

Hear Thou and answer our prayer, in the name and for the sake of our highest ideal of manhood; for Thine is the kingdom and the power and the glory forever. Amen.

The Journal of yesterday's proceedings was read and approved.

SPEAKER PRO TEMPORE FOR PROCEEDINGS OF SUNDAY, JANUARY 25.

The SPEAKER. The Chair, with the consent of the House, will designate as Speaker for the proceedings of to-morrow the gentleman from Ohio, Mr. GROSVENOR.

## CONGRESSIONAL RECORD.

Mr. HEATWOLE. Mr. Speaker, I call up the conference report on the bill (S. 2296) to amend an act approved March 2, 1895, relating to public printing.

The SPEAKER. The gentleman from Minnesota calls up a conference report, which the Clerk will read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the bill S. 2296, entitled "An act to amend an act approved March 2, 1895, relating to the public printing," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the amendment of the House and agree to the same.

JOEL P. HEATWOLE,

VINCENT BOREING,

F. C. TATE,

Managers on the part of the House.

T. C. PLATT,

S. B. ELKINS,

JAMES K. JONES,

Managers on the part of the Senate.

The effect of the accompanying report is to allow to the Sergeant-at-Arms of the Senate 20 extra copies of the CONGRESSIONAL RECORD for the use of the Senate.

JOEL P. HEATWOLE,

VINCENT BOREING,

F. C. TATE,

Managers on the part of the House.

Mr. HEATWOLE. Mr. Speaker, I move the adoption of the conference report.

Mr. UNDERWOOD. Mr. Speaker, the gentleman from Minnesota [Mr. HEATWOLE] has not moved the previous question, and if he does not propose to do so, I would ask for recognition at this time.

The SPEAKER. Does the gentleman from Minnesota yield to the gentleman from Alabama?

Mr. HEATWOLE. How much time does the gentleman desire?

Mr. UNDERWOOD. I ask for only five minutes.

Mr. HEATWOLE. I yield to the gentleman.

Mr. UNDERWOOD. Mr. Speaker, it is not directly on the proposition before the House that I desire to address myself. I have no objection to the adoption of this conference report or to the printing of these CONGRESSIONAL RECORDS; but some eight or nine months ago this House by an almost unanimous vote agreed to print 200,000 copies of what is known as the "Horse Book," for the use of members of the House. I do not think there is any book for which the members of this House have more demand, and the fact that they do have a demand for it demonstrates conclusively that it is useful, that it is read, and that it is not a waste of the public money to print it.

From time to time we authorize the printing of numbers of documents, just as we will this morning authorize the printing of these books, with practically little demand for them. There are numbers of resolutions brought in here from time to time by the committee, and I am not attempting to criticize the committee, because it may be necessary to print some editions of these books. But we order numbers of reports printed here that nobody ever reads, that have a final resting place in the subcellars of this Capitol, and are of benefit to no one; and with the resolution pending before the Senate committee for the printing of the Horse Book, I think it is the duty of Committee on Printing to stop the passing of these Senate resolutions for printing until some attention is paid to that resolution of ours.

Mr. HEATWOLE rose.

The SPEAKER. Does the gentleman yield for a question?

Mr. UNDERWOOD. I do.

Mr. HEATWOLE. Will the gentleman from Alabama kindly name some of the useless books that have been ordered by the House by resolution and that have gone into the basement of the Capitol? And, furthermore, I should like to know if the CONGRESSIONAL RECORD is not desired by every member of this House? The Committee on Printing has been importuned for the last three or four years to have the number of CONGRESSIONAL RECORDS increased.

Mr. UNDERWOOD. I said in my opening remarks that I had no objection to this particular resolution; that I thought it more or less useful, but there are comparatively few men who call for the CONGRESSIONAL RECORD, while there are thousands who want to have printed the book issued by the Agricultural Department on the Diseases of the Horse.

In answer to the question as to what useless books have been ordered, I can not enumerate them now, but there is not a member on the floor of this House who does not know that he has a number of books on his list to-day that no one ever asks him for; and it was only last year that, in order to get rid of those volumes, the superintendent of the folding room had to send out and request members to let him dispose of the useless volumes to their credit down here in the basement of this Capitol.

Mr. SHACKLEFORD. Is it the CONGRESSIONAL RECORD the gentleman refers to?

Mr. UNDERWOOD. No; I am not opposing the printing of the CONGRESSIONAL RECORD.

Mr. SHACKLEFORD. Is that what is involved in this motion?